

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SCOTT REIMER, Individually and On Behalf of
All Others Similarly Situated,

Plaintiff

v.

FEDERAL HOME LOAN MORTGAGE
CORPORATION, RICHARD F. SYRON, PATRICIA
L. COOK, ANTHONY PISZEL and EUGENE M.
McQUADE,

Defendants.

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: ELECTRONICALLY FILED
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: Civil Action No. 1:07-cv-10526-JFK
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DECLARATION OF JAMES R. CUMMINS

I, James R. Cummins, declare as follows:

1. I am an attorney in the law firm of Waite, Schneider, Bayless & Chesley Co., L.P.A. I am a member in good standing of the bars of the State of Ohio and the United States District Court for the Southern District of Ohio. I submit this Declaration in support of the motion of Ohio Public Employees Retirement System (OPERS) for (i) appointment as lead plaintiff, and (ii) approval of its selection of Waite, Schneider, Bayless & Chesley Co., L.P.A. and Chitwood Harley Harnes LLP as Lead Counsel for the Class.

2. Attached as Exhibits A through E are true and correct copies of the following documents:

Exhibit A: Certification of OPERS, with attached chart of OPERS' transactions in Freddie Mac common stock

Exhibit B: Chart of Freddie Mac common stock transactions and losses for OPERS

Exhibit C: First PSLRA notice of pendency of the class action against Freddie Mac

Exhibit D: Firm Biography of Waite Schneider

Exhibit E: Firm Biography of Chitwood Harley Harnes LLP

I declare, under penalty of perjury, that the foregoing is true and correct to the best of my knowledge.

Executed this 22nd day of January 2008.

/s/ James R. Cummins
James R. Cummins, Esq.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 22, 2008, I caused to be electronically filed the foregoing paper with the Clerk of the Court using the ECF System, which will electronically send notification of such filing to the registered participants. Paper copies will be sent via first-class mail postage pre-paid to those indicated as non-registered participants on January 22, 2008.

/s/ Darren T. Kaplan

Darren T. Kaplan
Chitwood Harley Harnes LLP

EXHIBIT A

**AMENDED CERTIFICATION OF
OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM
PURSUANT TO FEDERAL SECURITIES LAWS**

Ohio Public Employees Retirement System ("OPERS") declares as follows:

1. OPERS has reviewed a complaint against Federal Home Loan Mortgage Corporation a/k/a Freddie Mac, et al. in this matter and authorized its filing.
2. OPERS has retained as counsel in this litigation the law firms of Waite, Schneider, Bayless & Chesley Co., L.P.A. and Chitwood Harley Harnes LLP.
3. OPERS did not purchase the security of Freddie Mac that is the subject of the action at the direction of its counsel or in order to participate in any private action arising under the federal securities laws, including the Private Securities Litigation Reform Act ("PSLRA").
4. OPERS is willing to serve as a representative party on behalf of the class in this litigation, including providing testimony at deposition and trial, if necessary.
5. During the class period proposed in this action, OPERS made the transactions set forth on Schedule A in the Freddie Mac common stock that is the subject of the complaint in this action.
6. OPERS has not served as, or sought to serve as, a representative party on behalf of a class in any action filed under the PSLRA during the three-year period preceding the date on which this Certification is signed.
7. OPERS will not accept any payment for serving as a representative party on behalf of the class, except 1) to receive its pro rata share of any recovery as ordered and approved by the Court, and 2) to receive any award to it by the Court of reasonable costs and expenses (including lost wages and travel expenses) directly relating to its representation of the class.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed this 22nd day of January 2008.

Ohio Public Employees Retirement System

By: 
Julie Becker, General Counsel

OPERS' Transactions in Freddie Mac Common Stock

Pre-Class Holdings

7/31/06 1,754,809

Purchases

<u>Date</u>	<u>Shares</u>	<u>Price</u>	<u>Value</u>
8/3/06	591	57.655	34,074.05
9/7/06	483	63.460	30,651.13
10/2/06	46,000	65.279	3,002,834.00
11/10/06	201	69.230	13,915.23
11/10/06	26,700	69.460	1,854,571.32
12/4/06	2,890	67.959	196,401.22
12/12/06	1,005	68.954	69,298.87
12/15/06	3,458	68.950	238,428.41
1/3/07	1,804	68.296	123,205.98
1/3/07	4,208	68.102	286,574.48
1/5/07	5,670	67.216	381,112.45
1/5/07	2,808	66.859	187,739.51
1/5/07	2,638	66.895	176,469.01
1/18/07	6,758	64.956	438,972.65
1/19/07	7	65.100	455.70
1/19/07	6,165	65.031	400,917.96
1/23/07	8,881	64.904	576,407.98
2/23/07	2,206	64.871	143,106.09
4/27/07	28,573	65.500	1,871,531.50
5/3/07	1,614	66.519	107,360.86
6/19/07	17,000	64.165	1,090,801.60
6/20/07	90,000	63.878	5,749,056.00
6/28/07	55,300	61.163	3,382,302.84
7/13/07	183,000	61.380	11,232,521.70
8/6/07	55,400	59.368	3,289,003.82
8/6/07	3,216	59.622	191,743.07
8/7/07	13,983	62.436	873,043.99
8/8/07	12,590	63.304	796,993.58
8/9/07	18,889	62.136	1,173,690.68
8/30/07	111,000	60.343	6,698,039.70
9/26/07	1,057	59.554	62,948.79
10/2/07	4,931	61.928	305,366.97
10/16/07	1,203	58.149	69,952.89
10/17/07	931	56.783	52,864.88
10/18/07	992	54.846	54,407.13
10/22/07	1,056	52.867	55,827.87
10/25/07	1,993	51.040	101,723.32
11/5/07	720	47.319	34,069.90
11/6/07	735	48.496	35,644.56
11/6/07	347	48.466	16,817.84
11/8/07	1,685	44.029	74,188.36
11/9/07	1,543	41.246	63,641.96
11/12/07	1,759	39.910	70,202.22
11/13/07	1,344	42.741	57,444.31

Sales

<u>Date</u>	<u>Shares</u>	<u>Price</u>	<u>Value</u>
8/8/06	2,583	57.814	149,334.08
9/11/06	511	63.481	32,438.64
10/25/06	3,124	68.662	214,500.40
11/21/06	25,000	67.442	1,686,050.00
11/30/06	140,000	66.793	9,350,964.00
12/4/06	34,200	67.925	2,323,048.68
12/6/06	2,388	68.480	163,529.52
1/22/07	64,700	64.753	4,189,506.16
3/15/07	1,000	61.330	61,330.00
3/15/07	100	61.345	6,134.46
3/15/07	8,800	60.949	536,350.32
3/16/07	9,000	60.235	542,111.40
3/19/07	2,300	60.171	138,393.30
3/20/07	3,300	60.506	199,668.15
3/21/07	4,700	61.447	288,798.55
3/29/07	457	59.942	27,393.31
3/29/07	866	59.744	51,738.48
4/3/07	5,106	59.500	303,805.47
4/4/07	4,638	59.069	273,961.09
4/9/07	1,461	59.694	87,212.50
4/13/07	1,143	59.925	68,494.05
4/13/07	689	60.002	41,341.38
4/18/07	1,820	64.027	116,528.96
4/19/07	5,973	64.698	386,439.96
4/24/07	978	64.705	63,281.78
5/8/07	5,844	67.260	393,066.27
5/9/07	2,969	67.038	199,034.93
5/10/07	6,635	66.905	443,914.68
5/16/07	2,942	67.182	197,647.97
5/23/07	4,077	67.859	276,662.37
6/13/07	10,876	65.524	712,643.37
6/14/07	8,461	65.794	556,685.57
6/18/07	18,419	64.774	1,193,072.31
6/20/07	21,057	63.545	1,338,071.28
6/27/07	4,676	61.081	285,612.42
7/9/07	935	60.739	56,791.15
7/25/07	15,517	60.385	936,987.56
8/23/07	921	64.148	59,080.68
9/10/07	2,453	58.913	144,512.61
10/4/07	8,400	63.202	530,897.64
10/5/07	13,000	63.374	823,864.60
10/8/07	8,700	62.854	546,828.93

EXHIBIT B

Summary of OPERS' Losses
in Freddie Mac Common Stock

OPERS Transaction Data

	<u>Shares</u>	<u>Market Value</u>
Pre-class holdings:	1,754,809	\$101,533,249
Purchases 8/1/06 to 11/23/07	733,334	\$45,666,326
Sales 8/1/06 to 11/23/07	460,719	\$29,997,729

Losses

	Matching Method			
	FIFO		LIFO	
	<u>Shares</u>	<u>Value</u>	<u>Shares</u>	<u>Value</u>
Matched Pre-Class to Class Period	460,719	n/a	232,400	n/a
Pre-Class shares retained	1,294,090	n/a	1,522,409	n/a
Class Period Purchases Retained	733,334	n/a	505,015	n/a
Holding Price as of 11/26/07		\$24.500		\$24.500
Net Losses		\$27,699,643		\$18,463,427

Summary of OPERS' Losses
in Freddie Mac Common Stock

OPERS Transaction Data

	<u>Shares</u>	<u>Market Value</u>
Pre-class holdings:	1,754,809	\$101,533,249
Purchases 8/1/06 to 11/19/07	733,334	\$45,666,326
Sales 8/1/06 to 11/19/07	460,719	\$29,997,729

Losses

	Matching Method			
	FIFO		LIFO	
	<u>Shares</u>	<u>Value</u>	<u>Shares</u>	<u>Value</u>
Matched Pre-Class to Class Period	460,719	n/a	232,400	n/a
Pre-Class shares retained	1,294,090	n/a	1,522,409	n/a
Class Period Purchases Retained	733,334	n/a	505,015	n/a
Holding Price as of 11/20/07		\$26.740		\$26.740
Net Losses		\$26,056,975		\$17,332,193

**OPERS Transactions in Freddie Mac Common Stock:
FIFO Losses**

PURCHASE TRANSACTIONS				SALES TRANSACTIONS				TRADING LOSSES		
DATE	PURCHASE VOLUME	COST	AMOUNT	DATE	SALES VOLUME	PRICE	AMOUNT	Trading	Retained	Holding Price 11/20/07
Pre-Class	1,754,809			8/8/2006	2,583.00	\$57.81	\$149,334			
Pre-Class				9/11/2006	511.00	\$63.48	\$32,439			
Pre-Class				10/25/2006	3,124.00	\$68.66	\$214,500			
Pre-Class				11/21/2006	25,000.00	\$67.44	\$1,686,050			
Pre-Class				11/30/2006	140,000.00	\$66.79	\$9,350,964			
Pre-Class				12/4/2006	34,200.00	\$67.93	\$2,323,049			
Pre-Class				12/6/2006	2,388.00	\$68.48	\$163,530			
Pre-Class				1/22/2007	64,700.00	\$64.75	\$4,189,506			
Pre-Class				3/15/2007	1,000.00	\$61.33	\$61,330			
Pre-Class				3/15/2007	100.00	\$61.34	\$6,134			
Pre-Class				3/15/2007	8,800.00	\$60.95	\$536,350			
Pre-Class				3/16/2007	9,000.00	\$60.23	\$542,111			
Pre-Class				3/19/2007	2,300.00	\$60.17	\$138,393			
Pre-Class				3/20/2007	3,300.00	\$60.51	\$199,668			
Pre-Class				3/21/2007	4,700.00	\$61.45	\$288,799			
Pre-Class				3/29/2007	457.00	\$59.94	\$27,393			
Pre-Class				3/29/2007	866.00	\$59.74	\$51,738			
Pre-Class				4/3/2007	5,106.00	\$59.50	\$303,805			
Pre-Class				4/4/2007	4,638.00	\$59.07	\$273,961			
Pre-Class				4/9/2007	1,461.00	\$59.69	\$87,212			
Pre-Class				4/13/2007	1,143.00	\$59.92	\$68,494			
Pre-Class				4/13/2007	689.00	\$60.00	\$41,341			
Pre-Class				4/18/2007	1,820.00	\$64.03	\$116,529			
Pre-Class				4/19/2007	5,973.00	\$64.70	\$386,440			
Pre-Class				4/24/2007	978.00	\$64.71	\$63,282			
Pre-Class				5/8/2007	5,844.00	\$67.26	\$393,066			
Pre-Class				5/9/2007	2,969.00	\$67.04	\$199,035			
Pre-Class				5/10/2007	6,635.00	\$66.91	\$443,915			
Pre-Class				5/16/2007	2,942.00	\$67.18	\$197,648			
Pre-Class				5/23/2007	4,077.00	\$67.86	\$276,662			
Pre-Class				6/13/2007	10,876.00	\$65.52	\$712,643			
Pre-Class				6/14/2007	8,461.00	\$65.79	\$556,686			
Pre-Class				6/18/2007	18,419.00	\$64.77	\$1,193,072			
Pre-Class				6/20/2007	21,057.00	\$63.55	\$1,338,071			
Pre-Class				6/27/2007	4,676.00	\$61.08	\$285,612			
Pre-Class				7/9/2007	935.00	\$60.74	\$56,791			
Pre-Class				7/25/2007	15,517.00	\$60.38	\$936,988			

**OPERS Transactions in Freddie Mac Common Stock:
FIFO Losses**

PURCHASE TRANSACTIONS				SALES TRANSACTIONS				TRADING LOSSES		Holding Price
DATE	PURCHASE VOLUME	COST	AMOUNT	DATE	SALES VOLUME	PRICE	AMOUNT	Trading	Retained	11/20/07
Pre-Class				8/23/2007	921.00	\$64.15	\$59,081			\$26.740
Pre-Class				9/10/2007	2,453.00	\$58.91	\$144,513			
Pre-Class				10/4/2007	8,400.00	\$63.20	\$530,898			
Pre-Class				10/5/2007	13,000.00	\$63.37	\$823,865			
Pre-Class				10/8/2007	8,700.00	\$62.85	\$546,829			
8/3/2006	591.00	\$57.65	\$34,074						(\$18,271)	
9/7/2006	483.00	\$63.46	\$30,651						(\$17,736)	
10/2/2006	46,000.00	\$65.28	\$3,002,834						(\$1,772,794)	
11/10/2006	201.00	\$69.23	\$13,915						(\$8,540)	
11/10/2006	26,700.00	\$69.46	\$1,854,571						(\$1,140,613)	
12/4/2006	2,890.00	\$67.96	\$196,401						(\$119,123)	
12/12/2006	1,005.00	\$68.95	\$69,299						(\$42,425)	
12/15/2006	3,458.00	\$68.95	\$238,428						(\$145,961)	
1/3/2007	1,804.00	\$68.30	\$123,206						(\$74,967)	
1/3/2007	4,208.00	\$68.10	\$286,574						(\$174,053)	
1/5/2007	5,670.00	\$67.22	\$381,112						(\$229,497)	
1/5/2007	2,808.00	\$66.86	\$187,740						(\$112,654)	
1/5/2007	2,638.00	\$66.90	\$176,469						(\$105,929)	
1/18/2007	6,758.00	\$64.96	\$438,973						(\$258,264)	
1/19/2007	7.00	\$65.10	\$456						(\$269)	
1/19/2007	6,165.00	\$65.03	\$400,918						(\$236,066)	
1/23/2007	8,881.00	\$64.90	\$576,408						(\$338,930)	
2/23/2007	2,206.00	\$64.87	\$143,106						(\$84,118)	
4/27/2007	28,573.00	\$65.50	\$1,871,532						(\$1,107,489)	
5/3/2007	1,614.00	\$66.52	\$107,361						(\$64,202)	
6/19/2007	17,000.00	\$64.16	\$1,090,802						(\$636,222)	
6/20/2007	90,000.00	\$63.88	\$5,749,056						(\$3,342,456)	
6/28/2007	55,300.00	\$61.16	\$3,382,303						(\$1,903,581)	
7/13/2007	183,000.00	\$61.38	\$11,232,522						(\$6,339,102)	
8/6/2007	55,400.00	\$59.37	\$3,289,004						(\$1,807,608)	
8/6/2007	3,216.00	\$59.62	\$191,743						(\$105,747)	
8/7/2007	13,983.00	\$62.44	\$873,044						(\$499,139)	
8/8/2007	12,590.00	\$63.30	\$796,994						(\$460,337)	
8/9/2007	18,889.00	\$62.14	\$1,173,691						(\$668,599)	
8/30/2007	111,000.00	\$60.34	\$6,698,040						(\$3,729,900)	
9/26/2007	1,057.00	\$59.55	\$62,949						(\$34,685)	

**OPERS Transactions in Freddie Mac Common Stock:
FIFO Losses**

PURCHASE TRANSACTIONS				SALES TRANSACTIONS				TRADING LOSSES		Holding Price
DATE	PURCHASE VOLUME	COST	AMOUNT	DATE	SALES VOLUME	PRICE	AMOUNT	Trading	Retained	11/20/07
10/2/2007	4,931.00	\$61.93	\$305,367						(\$173,512)	\$26.740
10/16/2007	1,203.00	\$58.15	\$69,953						(\$37,785)	
10/17/2007	931.00	\$56.78	\$52,865						(\$27,970)	
10/18/2007	992.00	\$54.85	\$54,407						(\$27,881)	
10/22/2007	1,056.00	\$52.87	\$55,828						(\$27,590)	
10/25/2007	1,993.00	\$51.04	\$101,723						(\$48,430)	
11/5/2007	720.00	\$47.32	\$34,070						(\$14,817)	
11/6/2007	735.00	\$48.50	\$35,645						(\$15,991)	
11/6/2007	347.00	\$48.47	\$16,818						(\$7,539)	
11/8/2007	1,685.00	\$44.03	\$74,188						(\$29,131)	
11/9/2007	1,543.00	\$41.25	\$63,642						(\$22,382)	
11/12/2007	1,759.00	\$39.91	\$70,202						(\$23,167)	
11/13/2007	1,344.00	\$42.74	\$57,444						(\$21,506)	

Pre-Class	1,754,809	\$0		460,719	\$29,997,729	\$0	\$0
CP	733,334	\$45,666,326		0	\$0		
Total	2,488,143	\$45,666,326		460,719	\$29,997,729	Total Losses=	(\$26,056,975)
Retained	733,334	\$45,666,326		0	\$0		(\$26,056,975)

**OPERS Transactions in Freddie Mac Common Stock:
FIFO Losses**

PURCHASE TRANSACTIONS				SALES TRANSACTIONS				TRADING LOSSES		Holding Price
DATE	PURCHASE VOLUME	COST	AMOUNT	DATE	VOLUME	PRICE	AMOUNT	Trading	Retained	11/20/07
Pre-Class	8/3/2006	591	\$57.65	8/8/2006	591	\$57.81	\$34,168			\$26,740
Pre-Class	9/7/2006	1,992	\$0.00	8/8/2006	1,992	\$57.81	\$115,166			
Pre-Class	10/2/2006	483	\$63.46	9/11/2006	483	\$63.48	\$30,661			
Pre-Class	11/10/2006	28	\$0.00	9/11/2006	28	\$63.48	\$1,777			
Pre-Class	11/10/2006	3,124	\$65.28	10/25/2006	3,124	\$68.66	\$214,500			
Pre-Class	11/10/2006	25,000	\$69.46	11/21/2006	25,000	\$67.44	\$1,686,050			
Pre-Class	11/10/2006	1,700	\$69.23	11/30/2006	1,700	\$66.79	\$113,547			
Pre-Class	10/2/2006	201	\$69.23	11/30/2006	201	\$66.79	\$13,425			
Pre-Class	12/4/2006	42,876	\$65.28	11/30/2006	42,876	\$66.79	\$2,863,800			
Pre-Class	12/4/2006	95,223	\$0.00	12/4/2006	95,223	\$66.79	\$6,360,192			
Pre-Class	12/4/2006	2,890	\$67.96	12/4/2006	2,890	\$67.93	\$196,304			
Pre-Class	12/4/2006	31,310	\$0.00	12/6/2006	31,310	\$67.93	\$2,126,744			
Pre-Class	12/4/2006	2,388	\$0.00	12/6/2006	2,388	\$68.48	\$163,530			
Pre-Class	12/4/2006	6,165	\$65.03	1/22/2007	6,165	\$64.75	\$399,201			
Pre-Class	12/4/2006	7	\$65.10	1/22/2007	7	\$64.75	\$453			
Pre-Class	12/4/2006	6,758	\$64.96	1/22/2007	6,758	\$64.75	\$437,599			
Pre-Class	12/4/2006	2,638	\$66.90	1/22/2007	2,638	\$64.75	\$170,818			
Pre-Class	12/4/2006	2,808	\$66.86	1/22/2007	2,808	\$64.75	\$181,826			
Pre-Class	12/4/2006	5,670	\$67.22	1/22/2007	5,670	\$64.75	\$367,148			
Pre-Class	12/4/2006	4,208	\$68.10	1/22/2007	4,208	\$64.75	\$272,480			
Pre-Class	12/4/2006	1,804	\$68.30	1/22/2007	1,804	\$64.75	\$116,814			
Pre-Class	12/4/2006	3,458	\$68.95	1/22/2007	3,458	\$64.75	\$223,915			
Pre-Class	12/4/2006	1,005	\$68.95	1/22/2007	1,005	\$64.75	\$65,077			
Pre-Class	12/4/2006	30,179	\$0.00	1/22/2007	30,179	\$64.75	\$1,954,175			
Pre-Class	12/4/2006	1,000	\$64.87	3/15/2007	1,000	\$61.33	\$61,330			
Pre-Class	12/4/2006	100	\$64.87	3/15/2007	100	\$61.34	\$6,134			
Pre-Class	12/4/2006	1,106	\$64.87	3/15/2007	1,106	\$60.95	\$67,409			
Pre-Class	12/4/2006	7,694	\$64.90	3/15/2007	7,694	\$60.95	\$468,941			
Pre-Class	12/4/2006	1,187	\$64.90	3/16/2007	1,187	\$60.23	\$71,498			
Pre-Class	12/4/2006	7,813	\$0.00	3/16/2007	7,813	\$60.23	\$470,613			
Pre-Class	12/4/2006	2,300	\$0.00	3/19/2007	2,300	\$60.17	\$138,393			
Pre-Class	12/4/2006	3,300	\$0.00	3/20/2007	3,300	\$60.51	\$199,668			
Pre-Class	12/4/2006	4,700	\$0.00	3/21/2007	4,700	\$61.45	\$288,799			
Pre-Class	12/4/2006	457	\$0.00	3/29/2007	457	\$59.94	\$27,393			
Pre-Class	12/4/2006	866	\$0.00	3/29/2007	866	\$59.74	\$51,738			
Pre-Class	12/4/2006	5,106	\$0.00	4/3/2007	5,106	\$59.50	\$303,805			
Pre-Class	12/4/2006	4,638	\$0.00	4/4/2007	4,638	\$59.07	\$273,961			
Pre-Class	12/4/2006	1,461	\$0.00	4/9/2007	1,461	\$59.69	\$87,212			

**OPERS Transactions in Freddie Mac Common Stock:
FIFO Losses**

PURCHASE TRANSACTIONS				SALES TRANSACTIONS				TRADING LOSSES		Holding Price
DATE	PURCHASE VOLUME	COST	AMOUNT	DATE	SALES VOLUME	PRICE	AMOUNT	Trading	Retained	11/20/07
Pre-Class										\$26.740
Pre-Class	1,143	\$0.00	\$0	4/13/2007	1,143	\$59.92	\$68,494	\$0		
Pre-Class	689	\$0.00	\$0	4/13/2007	689	\$60.00	\$41,341	\$0		
Pre-Class	1,820	\$0.00	\$0	4/18/2007	1,820	\$64.03	\$116,529	\$0		
Pre-Class	5,973	\$0.00	\$0	4/19/2007	5,973	\$64.70	\$386,440	\$0		
Pre-Class	978	\$0.00	\$0	4/24/2007	978	\$64.71	\$63,282	\$0		
Pre-Class	5/3/2007	1,614	\$66.52	5/8/2007	1,614	\$67.26	\$108,557	(\$1,196)		
Pre-Class	4/27/2007	4,230	\$65.50	5/8/2007	4,230	\$67.26	\$284,509	(\$7,444)		
Pre-Class	4/27/2007	2,969	\$65.50	5/9/2007	2,969	\$67.04	\$199,035	(\$4,565)		
Pre-Class	4/27/2007	6,635	\$65.50	5/10/2007	6,635	\$66.91	\$443,915	(\$9,322)		
Pre-Class	4/27/2007	2,942	\$65.50	5/16/2007	2,942	\$67.18	\$197,648	(\$4,947)		
Pre-Class	4/27/2007	4,077	\$65.50	5/23/2007	4,077	\$67.86	\$276,662	(\$9,619)		
Pre-Class	4/27/2007	7,720	\$65.50	6/13/2007	7,720	\$65.52	\$505,848	(\$188)		
Pre-Class	3,156	\$0.00	\$0	6/13/2007	3,156	\$65.52	\$206,795	\$0		
Pre-Class	8,461	\$0.00	\$0	6/14/2007	8,461	\$65.79	\$556,686	\$0		
Pre-Class	18,419	\$0.00	\$0	6/18/2007	18,419	\$64.77	\$1,193,072	\$0		
Pre-Class	6/20/2007	21,057	\$63.88	6/20/2007	21,057	\$63.55	\$1,338,071	\$7,016		
Pre-Class	6/20/2007	4,676	\$63.88	6/27/2007	4,676	\$61.08	\$285,612	\$13,083		
Pre-Class	6/28/2007	935	\$61.16	7/9/2007	935	\$60.74	\$56,791	\$396		
Pre-Class	7/13/2007	15,517	\$61.38	7/25/2007	15,517	\$60.38	\$936,988	\$15,444		
Pre-Class	8/9/2007	921	\$62.14	8/23/2007	921	\$64.15	\$59,081	(\$1,853)		
Pre-Class	8/30/2007	2,453	\$60.34	9/10/2007	2,453	\$58.91	\$144,513	\$3,508		
Pre-Class	10/2/2007	4,931	\$61.93	10/4/2007	4,931	\$63.20	\$311,650	(\$6,283)		
Pre-Class	9/26/2007	1,057	\$59.55	10/4/2007	1,057	\$63.20	\$66,805	(\$3,856)		
Pre-Class	8/30/2007	2,412	\$60.34	10/4/2007	2,412	\$63.20	\$152,443	(\$6,897)		
Pre-Class	8/30/2007	13,000	\$60.34	10/5/2007	13,000	\$63.37	\$823,865	(\$39,410)		
Pre-Class	8/30/2007	8,700	\$60.34	10/8/2007	8,700	\$62.85	\$546,829	(\$21,847)		
Pre-Class	1,522,409	\$0.00	\$0					\$0		
Pre-Class	6/19/2007	17,000	\$64.16				\$1,090,802	(\$636,222)		
Pre-Class	6/20/2007	64,267	\$63.88				\$4,105,273	(\$2,386,774)		
Pre-Class	6/28/2007	54,365	\$61.16				\$3,325,116	(\$1,871,396)		
Pre-Class	7/13/2007	167,483	\$61.38				\$10,280,090	(\$5,801,594)		
Pre-Class	8/6/2007	55,400	\$59.37				\$3,289,004	(\$1,807,608)		
Pre-Class	8/6/2007	3,216	\$59.62				\$191,743	(\$105,747)		
Pre-Class	8/7/2007	13,983	\$62.44				\$873,044	(\$499,139)		
Pre-Class	8/8/2007	12,590	\$63.30				\$796,994	(\$460,337)		
Pre-Class	8/9/2007	17,968	\$62.14				\$1,116,463	(\$635,999)		
Pre-Class	8/30/2007	84,435	\$60.34				\$5,095,036	(\$2,837,244)		
Pre-Class	10/16/2007	1,203	\$58.15				\$69,953	(\$37,785)		

**OPERS Transactions in Freddie Mac Common Stock:
FIFO Losses**

PURCHASE TRANSACTIONS				SALES TRANSACTIONS				TRADING LOSSES		Holding Price
DATE	PURCHASE VOLUME	COST	AMOUNT	DATE	SALES VOLUME	PRICE	AMOUNT	Trading	Retained	11/20/07
10/17/2007	931	\$56.78	\$52,865						(\$27,970)	\$26.740
10/18/2007	992	\$54.85	\$54,407						(\$27,881)	
10/22/2007	1,056	\$52.87	\$55,828						(\$27,590)	
10/25/2007	1,993	\$51.04	\$101,723						(\$48,430)	
11/5/2007	720	\$47.32	\$34,070						(\$14,817)	
11/6/2007	735	\$48.50	\$35,645						(\$15,991)	
11/6/2007	347	\$48.47	\$16,818						(\$7,539)	
11/8/2007	1,685	\$44.03	\$74,188						(\$29,131)	
11/9/2007	1,543	\$41.25	\$63,642						(\$22,382)	
11/12/2007	1,759	\$39.91	\$70,202						(\$23,167)	
11/13/2007	1,344	\$42.74	\$57,444						(\$21,506)	
Total	2,488,143		\$45,666,326		460,719		\$29,997,729		\$14,055 (\$17,346,248)	
Pre-Class Holdings	1,754,809		\$0		232,400		\$15,195,806		\$0	
CP	733,334		\$45,666,326		228,319		\$14,801,923		\$14,055 (\$17,346,248)	
Retained	505,015		\$30,850,349		0		\$0			
Total Losses= (\$17,332,193)										

EXHIBIT C



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Coughlin Stoia Geller Rudman & Robbins LLP Files Class Action Suit Against Federal Home Loan Mortgage Company

Last update: 3:26 p.m. EST Nov. 21, 2007



SAN DIEGO, Nov 21, 2007 (BUSINESS WIRE) --

Coughlin Stoia Geller Rudman & Robbins LLP ("Coughlin Stoia") (<http://www.csgr.com/cases/freddie/>) today announced that a class action has been commenced in the United States District Court for the Southern District

of New York on behalf of purchasers of Federal Home Loan Mortgage Corporation ("Freddie Mac") (FRE) common stock during the period between August 1, 2006 and November 19, 2007 (the "Class Period").

If you wish to serve as lead plaintiff, you must move the Court no later than 60 days from today. If you wish to discuss this action or have any questions concerning this notice or your rights or interests, please contact plaintiff's counsel, Darren Robbins of Coughlin Stoia at 800/449-4900 or 619/231-1058, or via e-mail at [djrr@csgr.com](mailto:djr@csgr.com). If you are a member of this class, you can view a copy of the complaint as filed or join this class action online at <http://www.csgr.com/cases/freddie/>. Any member of the purported class may move the Court to serve as lead plaintiff through counsel of their choice, or may choose to do nothing and remain an absent class member.

The complaint charges Freddie Mac and certain of its officers and directors with violations of the Securities Exchange Act of 1934. Freddie Mac is a shareholder-owned company established by Congress in 1970 to support homeownership and rental housing.

The complaint alleges that during the Class Period, defendants made false and misleading statements concerning Freddie Mac's business, its risk management and the procedures it put in place to protect the Company from problems in the mortgage industry. In fact, during the Class Period, Freddie Mac was not adequately implementing risk control measures. Moreover, the Company's procedures for appraisals led to many inflated appraisals, increasing the risk of defaults. Ultimately, the Company reported billions of dollars in losses, has been mentioned in investigations by the New York Attorney General and announced it must raise new capital to meet regulatory requirements. On this news, Freddie Mac stock fell over \$10 per share to close at \$26.74 on November 20, 2007.

According to the complaint, during the Class Period, defendants concealed the following information, which caused their statements to be materially false and misleading: (a) defendants were not implementing sufficient risk management controls to protect the Company from acquiring billions of dollars worth of mortgages with poor underwriting standards, causing the Company to have an



untenable amount of risky loans; (b) defendants were not implementing controls to ensure that appraisals were done appropriately and to prevent collusion between lenders and appraisers, increasing the risk of defaults; (c) the Company was not adequately reserving for uncollectible loans, causing its financial results to be misleading; and (d) the Company had billions of dollars of bad loans which it would eventually have to write off, causing losses and capital deficiencies.

Plaintiff seeks to recover damages on behalf of all purchasers of Freddie Mac common stock during the Class Period (the "Class"). The plaintiff is represented by Coughlin Stoia, which has expertise in prosecuting investor class actions and extensive experience in actions involving financial fraud.

Coughlin Stoia, a 190-lawyer firm with offices in San Diego, San Francisco, Los Angeles, New York, Boca Raton, Washington, D.C., Houston and Philadelphia, is active in major litigations pending in federal and state courts throughout the United States and has taken a leading role in many important actions on behalf of defrauded investors, consumers, and companies, as well as victims of human rights violations. Coughlin Stoia lawyers have been responsible for more than \$45 billion in aggregate recoveries. The Coughlin Stoia Web site (<http://www.csgr.com>) has more information about the firm.

SOURCE: Coughlin Stoia Geller Rudman & Robbins LLP

Coughlin Stoia Geller Rudman & Robbins LLP
Darren Robbins, 800-449-4900 or 619-231-1058
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Coughlin Stoia Geller Rudman & Robbins LLP Files Class Action Suit Against Federal Home Loan Mortgage Company - MarketWatch

Intraday data provided by Comstock, a division of Interactive Data Corp. and current end-of-day data provided by FT Interactive Data. More information on current financial status. Intraday data delayed 15 minutes for Nasdaq, and Jones Indexes(SM) from Dow Jones & Company, Inc. SEHK intraday data 60-minutes delayed. All quotes are in local exchange time.

EXHIBIT D

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FIRM PROFILE

Waite, Schneider, Bayless & Chesley was founded in 1860 in Cincinnati, Ohio. Today it remains the city's oldest law firm in continuous operation. In 2006, a Columbus Ohio office was also established. The firm has 18 attorneys and prosecutes class and private actions, nationwide, on behalf of both individual and corporate clients. The firm's litigation practice areas include, but are not limited to, commercial litigation, securities and other class actions, derivative/corporate governance actions, antitrust litigation, FELA litigation, insurance litigation, products liability litigation and trade secret and employment litigation in federal and state courts.

Firm's Practice Areas

Products Liability, Antitrust and Other Complex Litigation

The firm enjoys a highly successful litigation practice in several other areas, including products liability, antitrust, commercial, insurance and FELA litigation. The following are examples of litigation in which the firm has been Co-Chair, Lead Counsel and/or Class Counsel:

In Re Microsoft Corp. Antitrust Litigation, United States District Court, District of Maryland (Co-Chair) (before the Honorable J. Frederick Motz)

In Re Vitamins Antitrust Litigation, United States District Court, District of Columbia; (Counsel for Procter & Gamble)

In Re Castano Tobacco Litigation, (Lead counsel for settlement negotiations and member of the Executive Committee)(and related cases including the Louisiana state class action, the Ohio state class action, the New Mexico state class action, the Maryland state class action, the District of Columbia class action, the New York state class action, the California state class action, the Pennsylvania state class action, the Alabama state class action, the Minnesota state class action, the Texas state class action, the New Jersey state class action, and the Illinois state class action.)

In Re United Parcel Service Inc. Excess Value Insurance Coverage Litigation, United States District Court, Southern District of New York (Co-Lead Counsel)

City of Cincinnati v. Beretta, U.S.A. Corp., et al., Court of Common Pleas, Hamilton County, Ohio

Procter & Gamble v. Amway Litigation, United States District Court, Southern District of Texas, at Houston

In Re Fernald Litigation (I and II), United States District Court, Southern District of Ohio, Western Division

In Re Choice Care Litigation, United States District Court, Southern District of Ohio, Western Division

In Re Chubb Drought Insurance Litigation, United States District Court, Southern District of Ohio, Western Division

Procter & Gamble v. Bankers' Trust Litigation, United States District Court, Southern District of Ohio

In Re Union Carbide Corporation, Gas Plant Disaster at Bhopal, India On December 6, 1984, United States District Court, Southern District of New York

In Re MGM Grand Hotel Fire Litigation, United States District Court, District of Nevada

In Re Diet Drugs (Phentermine, Fenfluramine, Dexfenfluramine) Products Liability Litigation, United States District Court, Eastern District of Pennsylvania (National Co-Chair of Litigation Committee).

In Re Teletronics Pacing Systems, Inc., Accufix Atrial "J" Leads Products Liability Litigation, United States District Court, Southern District of Ohio, Western Division (Chair of Litigation Committee).

In Re Silicone Gel Breast Implant Products Liability Litigation, United States District Court, Northern District of Alabama, Southern Division (National Co-Chair of Litigation Committee).

Bowling, et al. v. Pfizer, et al., United States District Court, Southern District of Ohio, Western Division.

In Re Copley Pharmaceuticals, Inc., "Albuterol" Products Liability Litigation, United States District Court, District of Wyoming.

Securities Fraud Litigation

The firm has prosecuted, defended and settled high profile securities fraud class actions in federal and state courts. Since the passage of the Private Securities Litigation Reform Act of 1995, which sought to encourage institutional investors to become more active in securities class action litigation, the firm has represented prominent institutional investors in securities fraud litigation.

Recently the firm as National Lead Counsel, representing Ohio Public Employees Retirement System and the State Teachers Retirement System of Ohio as Lead Plaintiffs,

achieved a \$410 million settlement of the securities fraud class action case brought against Freddie Mac. This settlement is the 9th largest national securities settlement ever.

The firm currently is also Lead Counsel in the federal securities fraud class action cases pending against another government-sponsored entity, Fannie Mae.

The firm successfully represented shareholders in a class action against DPL, Inc., a public company traded on the New York Stock Exchange, and obtained a \$145.5 million global settlement of federal and state cases for its clients. The settlement is the 21st largest national securities settlement ever.

The attorneys in the securities department have extensive experience in federal securities laws and regulations and the rules and regulations of the various stock exchanges. Securities Class Actions and Derivative Case Representation includes:

Freddie Mac Securities Litigation, Lead Case No. 03-cv-4261, U.S. District Court, S.D.N.Y.. Lead Counsel for lead plaintiffs and class in securities fraud class action litigation (\$410 million settlement).

In Re Fannie Mae Securities Litigation, U.S. District Court, District of Columbia, Consolidated Civil Action No. 04-cv-01639. Lead Counsel for lead plaintiffs and class in securities fraud class action litigation (in progress).

In Re DPL Inc. Securities Litigation, U.S. District Court, Southern District of Ohio. Co-Lead Counsel for lead plaintiffs and class in prosecution of federal securities fraud claims; (\$145.5 million global settlement of federal and state cases for clients).

In Re OM Group, Inc. Securities Litigation, U.S. District Court, Northern District of Ohio, Eastern Division, Case No. 1:02-CV-2163. Counsel for lead plaintiffs and class in securities fraud class action litigation (\$92.4 million settlement).

In Re FirstEnergy Shareholder Derivative Litigation, U.S. District Court, Northern District of Ohio. Co-Lead Counsel for lead plaintiff in shareholder derivative action (\$25 million settlement).

David Slone, et al. v. Fifth Third Bancorp, et al., U.S. District Court, Southern District of Ohio, Western Division, Case No. 1:03-CV-211. Special counsel for Defendant Fifth Third Bancorp in securities fraud class action litigation.

Central Laborer's Pension Fund, Derivatively on Behalf of Ashland, Inc., v. Chellgren, et al. and Ashland, Inc., United States District Court, Eastern District of Kentucky, at Covington. Special counsel for Defendant Ashland, Inc. in shareholder derivative action.

In Re: Procter & Gamble Securities Litigation, U.S. District Court, Southern District of Ohio. (Special counsel for Procter & Gamble).

Corporate Governance, Shareholder Rights and Proxy Campaigns

The firm seeks to promote good corporate governance and protect shareholder rights by prosecuting shareholder derivative actions for breaches of fiduciary duties and gross mismanagement by companies and their executive officers. The firm has addressed issues of gross mismanagement, corporate waste, shareholder voting issues and excessive executive compensation.

The firm also represents several public companies in a variety of matters including securities offerings, tender offers, required reporting such as reports on Forms 10-K, 10-Q and 8-K and compliance with the Securities Act, Exchange Act and stock exchange rules. We have developed a specialty in advising corporations on good corporate governance practices and policies and assisting them with shareholder relations and responding to shareholder proposals. We also assist shareholder clients in winning proxy contests and corporate clients in defending against proxy contests. In one notable case, the firm represented a small group of dissenting shareholders in waging a proxy solicitation campaign and successfully elected a majority of its candidates to the company's board of directors. We also prosecute and defend against derivative actions, claims for breach of fiduciary duty and proxy violations in state and federal courts. The attorneys in the practice area have up-to-date knowledge of changing SEC rules and regulations on corporate governance issues, a comprehensive understanding of a wide variety of corporate law transactions and both substantive and courtroom expertise in the specific legal areas involved.

Trade Secret, Employment Litigation and Civil Rights Litigation

The firm has developed expertise in negotiating, drafting and litigating non-competition and trade secret issues. The firm has successfully prosecuted actions against employers and other institutions that violate federal or state discrimination and civil rights laws. The firm also defends clients in federal and state employment disputes. We have a large client range, including Fortune 500 companies, manufacturers, medical practices, distributors, professional service organizations and restaurant chains.

General Business Representation

The firm's attorneys have represented hundreds of businesses, including corporations, partnerships, limited liability companies and joint ventures, in practically every aspect of their businesses. They have provided legal services for formation and organization matters and drafting and negotiation of operating agreements, shareholder agreements, employment agreements, leases, mergers, acquisitions, financing transactions, and real and personal property acquisitions and dispositions. We also have substantial experience in the successful resolution of shareholder disputes.

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**STANLEY M. CHESLEY
PROFESSIONAL PROFILE**

Stanley M. Chesley is the principal of Waite, Schneider, Bayless & Chesley Co., L.P.A. He is a 1960 graduate of the University of Cincinnati College of Law, a licensed member of the Ohio Bar, Kentucky Bar, Federal Bar and has also been admitted to the Bar of the United States Supreme Court. Mr. Chesley is the Past Chairman of the Supreme Court of Ohio, Board of Commissioners on Grievances and Discipline and is a current member of the Board of Commissioners on Grievances and Discipline. Mr. Chesley has been Co-Chairman, Lead Counsel and/or Class Counsel in the following cases:

Securities Class Actions and Derivative Case Representation:

Freddie Mac Securities Litigation, Lead Case No. 03-cv-4261, U.S. District Court, S.D.N.Y., Lead Counsel for lead plaintiffs and class in nationwide securities fraud class action litigation; \$410 million settlement.

In Re DPL Inc. Securities Litigation, U.S. District Court, Southern District of Ohio, Co-Lead Counsel for lead plaintiffs and class in prosecution of federal securities fraud claims; \$145.5 million global settlement of federal and state cases for clients.

In Re Fannie Mae Securities Litigation, U.S. District Court, District of Columbia, Consolidated Civil Action No. 04-cv-01639, Lead Counsel for lead plaintiffs in securities fraud class action litigation.

In Re FirstEnergy Shareholder Derivative Litigation, U.S. District Court, Northern District of Ohio, Co-Lead Counsel for lead plaintiff in shareholder derivative action (\$25 million settlement).

In Re OM Group, Inc. Securities Litigation, U.S. District Court, Northern District of Ohio, Eastern Division, Case No. 1:02-CV-2163. Counsel for lead plaintiffs and class in securities fraud class action litigation (\$92.4 million settlement).

David Slone, et al. v. Fifth Third Bancorp, et al., U.S. District Court, Southern District of Ohio, Western Division, Case No. 1:03-CV-211. Special counsel for Defendant Fifth Third Bancorp in securities fraud class action litigation.

Central Laborer's Pension Fund, Derivatively on Behalf of Ashland, Inc., v. Chellgren, et al. and Ashland, Inc., United States District Court, Eastern District of Kentucky, at Covington, Special counsel for Defendant Ashland, Inc. in shareholder derivative action.

In Re Procter & Gamble Company Securities Litigation, United States District Court, Southern District of Ohio, Western Division.

Product Liability and Other Litigation:

In Re Vitamins Antitrust Litigation, The Procter & Gamble Company, et al. v. BASF Aktiengesellschaft, et al., United States District Court, District of Columbia.

Procter & Gamble v. Bankers' Trust Litigation, United States District Court, Southern District of Ohio, Eastern Division (counsel for Procter & Gamble).

Academy of Medicine, et al. v. Aetna Health, Inc., et al. Court of Common Pleas, Hamilton County, Ohio; Boone Cir. Ct., Boone County, Kentucky

USX Corp. v. Penn Cent. Corp., Court of Appeals of Ohio, Eighth District, Cuyahoga County, Ohio.

Procter & Gamble, et al. v. Amway Corporation, et al., United States District Court, Southern District of Texas; United States District Court, District of Utah, Central Division.

Amway Corporation v. Procter & Gamble, et al., United States District Court, Western District of Michigan, Southern Division. (Counsel for Procter & Gamble)

City of Cincinnati v. Beretta U.S.A. Corp., et al., Hamilton County Court of Common Pleas, Hamilton County, Ohio.

TRW Inc., v. Industrial Systems Assoc., Inc., United States District Court, Northern District of Ohio, Eastern Division.

Worldwide Basketball and Sport Tours, Inc., et al. v. The National Collegiate Athletic Association, United States District Court, Southern District of Ohio, Eastern Division.

In Re Microsoft Corp. Antitrust Litigation, United States District Court, District of Maryland (Co-Chair).

In Re Castano Tobacco Litigation, (Lead counsel for settlement negotiations and member of the Executive Committee) (and related cases including the Louisiana state class action, the Ohio state class action, the New Mexico state class action, the Maryland state class action, the District of Columbia class action, the New York state class action, the California state class action, the Pennsylvania state class action, the Alabama state class action, the Minnesota state class action, the Texas state class action, the New Jersey state class action, and the Illinois state class action.)

In Re Premiere Technologies Litigation, United States District Court, Northern District of Georgia.

In Re United Parcel Service Inc. Excess Value Insurance Coverage Litigation, United States District Court, Southern District of New York (Co-Lead Counsel).

In Re Air Crash Near Peggy's Cove Nova Scotia on September 2, 1998, United States District Court, Eastern District of Pennsylvania.

In Re Diet Drugs (Phentermine, Fenfluramine, Dexfenfluramine) Products Liability Litigation, United States District Court, Eastern District of Pennsylvania (National Co-Chair).

In Re Teletronics Pacing Systems, Inc., Accufix Atrial "J" Leads Products Liability Litigation, United States District Court, Southern District of Ohio, Western Division (Chair).

In Re Silicone Gel Breast Implant Products Liability Litigation, United States District Court, Northern District of Alabama, Southern Division (National Co-Chair).

Bowling, et al. v. Pfizer, et al., United States District Court, Southern District of Ohio, Western Division.

In Re Copley Pharmaceuticals, Inc., "Albuterol" Products Liability Litigation, United States District Court, District of Wyoming.

In Re Fernald Litigation (I and II), United States District Court, Southern District of Ohio, Western Division.

In Re US Air Disaster at New York LaGuardia Airport on March 22, 1992, United States District Court, Northern District of Ohio, Eastern Division.

In Re Choice Care Litigation, United States District Court, Southern District of Ohio, Western Division.

In Re Chubb Drought Insurance Litigation, United States District Court, Southern District of Ohio, Western Division.

In Re San Juan DuPont Plaza Hotel Fire Litigation, United States District Court, District of Puerto Rico.

In Re Northwest Flight #255 Air Crash at Detroit Metropolitan Airport, on August 16, 1987, United States District Court, Eastern District of Michigan, Southern Division.

In Re Aircrash Disaster of Pan Am World Airways Flight #103, on December 21, 1988 at Lockerbie, Scotland, United States District Court, Eastern District of New York, At Brooklyn.

In Re Air Crash at Gander, Newfoundland on December 12, 1985, United States District Court, Eastern District of Kentucky, At Louisville.

In Re Union Carbide Corporation, Gas Plant Disaster at Bhopal, India On December 6, 1984, United States District Court, Southern District of New York.

In Re MGM Grand Hotel Fire Litigation, United States District Court, District of Nevada

In Re "Bendectin" Products Liability Litigation, United States District Court, Southern District of Ohio, Western Division.

In Re Beverly Hills Fire Litigation, United States District Court, Eastern District of Kentucky, at Covington.

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PROFESSIONAL PROFILE

James R. Cummins is the Chairman of the Corporate and Securities Law Department of Waite, Schneider, Bayless & Chesley Co. L.P.A. He has practiced in the securities and corporate governance fields for over 25 years, including securities fraud class actions, shareholder derivative actions, proxy contests and board governance matters, as well as advising corporate officers and directors in compliance and enforcement matters. He has been recognized, among only 236 lawyers in 40 countries, for his corporate governance experience and expertise by the *International Who's Who of Corporate Governance Lawyers*.

In 2003, Jim was co-lead trial attorney in the successful prosecution of a federal securities fraud claim and state breach of fiduciary duty claim against DPL Inc. (NYSE: DPL). The global settlement of \$145.5 million in the combined federal and state cases ranks as the 21st largest in the history of securities fraud cases.

He currently supervises the firm's work as Lead Counsel in the Freddie Mac and Fannie Mae securities class action litigation, *Ohio Public Employees Retirement System, et al. v. Federal Home Loan Mortgage Corporation, et al.*, S.D.N.Y. and *In Re Fannie Mae Securities Litigation*, U.S.D.C., District of Columbia. The Freddie Mac litigation was recently settled for \$410 million, ranking the settlement as the 9th largest of all federal securities class action cases.

Jim was co-trial counsel for 200 physicians in the nation's first successful antitrust, RICO and securities fraud case against a HMO system. The trial team secured a jury verdict of \$108 million for their clients, which was the largest award in the history of Hamilton County, Ohio at the time, which eventually resulted in \$65 million payout to the clients.

Jim's creative and unique approach to proxy contests resulted, in 1996, in a successful change in management of an American Stock Exchange bank holding company. Characterized as an "exercise in corporate democracy," by *US Banker*, the monthly bible of the banking industry, Jim was recognized as the first attorney in the nation to use the Internet's worldwide web in a proxy contest, communicating rapidly and simultaneously with all of the company's shareholders. According to the *Cincinnati Enquirer*, Jim "became the 'nerve center' through which the proxy fight was staged."

His achievements in complex corporate litigation were recognized in an *American Lawyer* survey of 400 corporate general counsel, as one of two recommended corporate litigators in the southern Ohio region.

Additional Information

Practice Areas: Securities Law; Corporate Law; Class Action, Derivative and Commercial Litigation; Health Care; Antitrust.

Admitted: 1967, Ohio; 1970, U.S. District Court, Southern District of Ohio; 1995, U.S. Court of Appeals, Sixth Circuit; 1999, Kentucky; 2004, District of Columbia.

Law School: University of Cincinnati, J.D., 1967; New York University, LL.M. in International Business Transactions, 1968.

College: Princeton University, A.B., 1964.

Member: Cincinnati (Member, Long Range Planning Subcommittee, 1989), Ohio State, Kentucky and American (Member, Committee on Federal Regulation of Securities, 1981-; Member, Subcommittee on Investment Companies and Investment Advisers, 1981-) Bar Associations.

Biography: Phi Delta Phi. Case Note Editor, University of Cincinnati Law Review, 1966-1967. Editor, New York International Law Review, 1967-1968. Lecturer: "Attorney Responses to Accountant Opinion Request Letters," Cincinnati Bar Association, 1987; "Civil RICO," Ohio Northern University, 1988; "The Year 2000 Time Bomb: Legal & Corporate Governance Implications for Board of Directors, Trustees and Officers," Cincinnati and Columbus Bar Associations, 1999; Co-chair with KPMG Forensics, "Corporate Ethics: Can Trust Be Rebuilt – Pro-Active Steps Toward Effective Corporate Governance," Cincinnati Bar Association, 2002. Member, Board of Commissioners on Grievances and Discipline of Supreme Court of Ohio, 1989-1994. Member, Advisory Committee on Local Rules, U.S. District Court for the Southern District of Ohio.

Representative Clients, Engagements and Recent Honors

Securities and Shareholder Derivative Actions:

In Re Freddie Mac Securities Litigation, MDL 1584, Lead Case No. 03-CV-4261, U.S. District Court, S.D.N.Y. Lead Counsel for lead plaintiffs and the class in a national federal securities fraud class action against Freddie Mac and three of its former executive officers. Global settlement of \$410 million cash is the 9th largest federal securities class action ever.

In Re Fannie Mae Securities Litigation, Consolidated Civil Action No. 04-cv-01639, U.S. District Court, District of Columbia. Lead Counsel for lead plaintiffs in securities fraud class action litigation against Fannie Mae, three of its former senior executive officers, KPMG and Goldman Sachs.

In Re DPL Inc. Securities Litigation, Case No. C-3-02-355, U.S. District Court, S.D. Ohio. Co-Lead Counsel for lead plaintiffs and the class in federal securities fraud class action against company and its former senior officers. Global settlement of \$145.5 million for combined federal and state cases is the 21st largest securities class action and settlement in the United States ever.

In Re OM Group, Inc. Securities Litigation, Case No. 1:02-CV-2163, U.S. District Court, Northern District of Ohio, Eastern Division. Counsel for lead plaintiffs and class in securities fraud class action litigation.

David Slone, et al. v. Fifth Third Bancorp, et al., U.S. District Court, Southern District of Ohio, Western Division, Case No. 1:03-CV-211. Special counsel for Defendant Fifth Third Bancorp in securities fraud class action litigation.

ChoiceCare Litigation, U.S. District Court, S.D. Ohio. Co-lead trial attorney; obtained jury verdict of \$108 million against ChoiceCare for physicians.

Austern Trust v. Peter H. Forster, et al., Hamilton Cty. Common Pleas
Represented plaintiff in shareholder derivative action resulting in a \$5.5 million settlement, which included important corporate governance reforms.

In Re FirstEnergy Shareholder Derivative Litigation, U.S. District Court, Northern District of Ohio. Co-Lead Counsel for plaintiffs in shareholder derivative action.

Other Litigation and Regulatory Enforcement Matters:

State of Ohio, Milk Antitrust Litigation, U.S. District Court, SD Ohio
Co-lead trial attorney with Stanley M. Chesley; obtained settlement for Ohio schools in price fixing litigation.

Clorox (NYSE:CLX):
Defense litigation against claims of P & G (three cases); continuing defense litigation services.

Countrywide Credit Industries (NYSE:CCR):
Prosecution of noncompetition and trade secret case.

Johnson & Johnson (NYSE:JNJ):
Represent subsidiaries, including Ethicon Endo-Surgery, defense of non-competition litigation; representation of officers and employees in shareholder litigation involving Theragenics Corporation (not a J&J entity); employment law defense litigation.

Structural Dynamics Research Corporation (NASD:SDRC)
Defense representation of CEO in civil securities litigation and regulatory enforcement matters.

F&C Flavoring Co. (NASD)
Defense representation of Chairman and outside directors in shareholder litigation and regulatory enforcement matters.

Corporate Governance Projects:

Professional Bancorp (AMEX:MDB)

Successful proxy contest; board restructuring; crisis management; corporate governance matters; SEC compliance.

Frisch's Restaurants (AMEX:FRS)

Representation of board against dissident challenges; board restructuring; crisis management; continuing representation for SEC compliance and corporate governance matters.

Recent Honors:

The International Who's Who of Corporate Governance Lawyers (2002), selected as one of 66 U.S. attorneys (236 internationally), recognized by their peers and their clients as leaders in the field of corporate governance.

Chairman & Featured Speaker, *Corporate Ethics: Can Trust be Rebuilt* (2002) with KPMG Forensic, Cincinnati Bar Association.

Featured Speaker, *Sarbanes-Oxley Act Implications for Internal Auditors* (2002) with Protiviti (Arthur Andersen's former Risk Management Practice Group).

Featured Speaker, *Corporate Governance and Internal Controls: What Sarbanes-Oxley Means for Businesses* (2005), National Business Institute, Continuing Legal Education Program.

The American Lawyer, Corporate General Counsels' Selection (1 of 2 firms in Tri-State) for Litigation Resource in Ohio.

Ohio Super Lawyer 2007, recognized as one of the top 20 Securities and Corporate Finance attorneys.

The American Lawyer, Winners Circle, 2006, "Big Suits," recognizing \$410 million record settlement in Freddie Mac Securities Litigation.

MELANIE S. CORWIN

Melanie S. Corwin has enjoyed a successful legal career handling sophisticated corporate and securities matters, including complex and class action litigation. She has practiced in the securities and corporate governance fields for over seventeen years, including prosecuting securities fraud class actions and shareholder derivative actions and advising on proxy contests and board governance matters. Securities class actions and derivative case representations of Waite, Schneider, Bayless & Chesley on which she had significant participation include:

In re Freddie Mac Securities Litigation, Lead Case No. 03-CV-4261, U.S. District Court, S.D.N.Y. WSBC was Lead Counsel for lead plaintiffs and class in securities fraud class action litigation that settled for \$410 million in cash.

In Re Fannie Mae Securities Litigation, Consolidated Civil Action No. 04-cv-01639, U.S. District Court, District of Columbia. WSBC is Lead Counsel for lead plaintiffs and class in securities fraud class action litigation against Fannie Mae, three former senior officers, and KPMG (pending).

In Re DPL Inc. Securities Litigation, Case No. C-3-02-355, U.S. District Court, Southern District of Ohio. WSBC was Co-Lead Counsel for lead plaintiffs and class in prosecution of federal securities fraud claims, resulted in \$145.5 global settlement of federal and state cases for clients.

In Re OM Group, Inc. Securities Litigation, U.S. District Court, Northern District of Ohio, Eastern Division, Case No. 1:02-CV-2163. WSBC was counsel for lead plaintiffs and class in securities fraud class action litigation that settled for \$92.4 million.

In Re FirstEnergy Shareholder Derivative Litigation, U.S. District Court, Northern District of Ohio. WSBC was Co-Lead Counsel for lead plaintiff in shareholder derivative action that settled for \$25 million.

Melanie also represents public companies in a variety of matters, including corporate governance issues, shareholder relations, and compliance with the Securities and Exchange Act and stock exchange rules. She has developed a specialty of advising companies on good corporate governance practices, assisting clients in proactively preventing shareholder problems and responding to shareholder proposals or complaints when they occur. In 1996, her efforts resulted in a successful change of management of an American Stock Exchange bank holding company. Melanie's corporate governance advice and strategies have also helped several companies win proxy contests or avoid costly disputes with shareholders.

Additional Information. Melanie was previously a partner (January 1998-July 2002) and associate (November 1990 – December 1997) with Brown, Cummins & Brown Co. L.P.A. in Cincinnati, Ohio. She received her Bachelor's Degree from Eastern Kentucky University in 1984, and her J.D. from the Salmon P. Chase College of Law, Northern Kentucky University in 1990. She was admitted to practice in Ohio in 1990, the Commonwealth of Kentucky in 1999, the U.S. District Court, Southern District of Ohio in 1991 and the U.S. Court of Appeals, Sixth Circuit in 1992. She is a member of the Cincinnati, Ohio, Kentucky and American Bar Associations.

EXHIBIT E

CHITWOOD

HARLEY

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Chitwood Harley Harnes LLP

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● OUR FIRM

Chitwood Harley Harnes LLP (“Chitwood Harley Harnes”) is one of the nation's leading class action law firms, and the firm is very proud of its many accomplishments. Securities class actions are the cornerstone of the firm’s practice. Chitwood Harley Harnes represents individuals, institutional investors (including public pension funds, private mutual funds and union funds), and other victims of securities fraud and corporate mismanagement.

Since its founding, Chitwood Harley Harnes has brought many high profile class actions, recovering billions of dollars on behalf of its clients and requiring corporate defendants to institute strict corporate governance reforms. Recently, the firm served as co-lead counsel in both the *BankAmerica* securities litigation in the Eastern District of Missouri in which \$490 million was recovered for investors and in the *Oxford Health* securities litigation in the Southern District of New York which resulted in a \$300 million recovery for investors – when these cases were resolved in 2003 they were the second and fifth largest recoveries, respectively, since the enactment of the Private Securities Litigation Reform Act of 1995 (the “PSLRA”). In addition, Chitwood Harley Harnes has served as lead or co-lead counsel in nine of the ten largest recoveries in securities class actions in the Northern District of Georgia (which includes Atlanta) since the enactment of the PSLRA.

Clients Chitwood Harley Harnes has represented in securities litigation include:

- The Teachers Retirement System of Georgia
- The Employees’ Retirement System of Georgia
- The Retirement Systems of Alabama (lead plaintiff in the Provident securities litigation)
- The Kentucky Teachers Retirement System
- Clarion-CRA Securities (which served as lead plaintiff in the JDN securities litigation)
- The Teachers Retirement System of Ohio (lead plaintiff movant in the Enron litigation)
- The Employees Retirement System of Ohio (lead plaintiff movant in the Enron litigation)
- The Washington State Investment Board (lead plaintiff movant in the Enron litigation)
- The Public Employees Retirement System of Mississippi (lead plaintiff movant in the Cardinal Health litigation)

- The DeKalb County Retirement Fund (lead plaintiff in the *NDCHealth* litigation)

Courts have recognized Chitwood Harley Harnes's high-caliber work and commitment to professionalism in the representation of its clients:

- *BankAmerica* (\$490 million recovery) - United States District Judge John F. Nangle, sitting by special designation for the Eastern District of Missouri, commented favorably on the firm's performance stating: "Class members were well served by experienced attorneys who, through considerable time and effort, obtained a significant recovery for their clients," and, "[a]s the Court has remarked throughout this litigation, class counsel ... have performed at exceptionally high levels, and all parties have been exceedingly well represented."
- *Oxford Health* (\$300 million recovery) - United States District Judge Charles L. Brieant for the Southern District of New York stated that the attorneys "working on this case . . . [have] been in my view excellent" and "want[ed] to make note that all of you did a fine job and it is really a pleasure to work with you over half a decade."
- *1996 Medaphis* (\$72.5 million recovery; the largest recovery in the Northern District of Georgia) - In approving the settlement, United States District Judge Thomas W. Thrash commended the firm's attorneys "for their competent and professional manner" and found that "lead counsel's skill and diligence achieved an exceptional settlement for the benefit of the class."
- *In re Polypropylene Carpet Antitrust Litig.* (\$50 million settlement) - This case was also was filed in the Northern District of Georgia and Chitwood Harley Harnes served as co-lead counsel. United States District Judge Harold L. Murphy stated that the attorneys' "efforts in this case to date have demonstrated their great skill and ability" and that "the Court's own observations of Plaintiffs' counsel support a determination that Plaintiffs' counsel are highly reputable and responsible attorneys."
- *In re JDN Realty Corp. Sec. Litig.* (\$47 million recovery) - Chitwood Harley Harnes served as sole lead counsel. United States District Judge Richard W. Story commended Chitwood Harley Harnes by noting that "the quality of what has been submitted to the Court in this case has been excellent, and I appreciate the quality of the work and your hard work in resolving [the case]."
- *Stoudt v. E.F. Hutton & Company, Inc.* - This is another securities class action in which the firm served as co-lead counsel. A Special Master for the New York federal court found counsel's representation of the plaintiff class to be "exemplary," and that counsel provided superior representation in a particularly complex case.

- *In re IXL Enterprises, Inc. Sec. Litig.* - This securities class action was filed in the Northern District of Georgia and the firm served as co-lead counsel. United States District Judge Clarence Cooper noted that there were “many obstacles that the class members as well as their counsel had to overcome in order to settle this case” and he commended counsel for the plaintiff on “the outstanding job they did in negotiating this settlement.”

These are only a few representative cases in which Chitwood Harley Harnes has achieved successful results on behalf of the firm’s clients. Chitwood Harley Harnes maintains a strong work ethic, finding that efficient and thorough work achieves the best results. The firm emphasizes professionalism in its relations with other attorneys and the judiciary and is committed to zealous representation of its clients.

● PROFESSIONAL BIOGRAPHIES

PARTNERS

MARTIN D. CHITWOOD

Martin Chitwood has served as lead or co-lead counsel in more than 40 class actions nationwide and has been instrumental in recovering billions of dollars for investors and other class members. In a lead article in February 2004, the Atlanta Journal/Constitution stated that Mr. Chitwood “is considered *the* plaintiffs’ lawyer in the state of Georgia.” He has also been recognized as a Georgia “Super Lawyer” by *Law and Politics* each year since the inception of the award.

Recently, Mr. Chitwood served as co-lead counsel in both the *BankAmerica* securities litigation in the Eastern District of Missouri in which \$490 million was recovered for investors and in the *Oxford Health* securities litigation in the Southern District of New York which resulted in a \$300 million recovery for investors – when these cases were resolved in 2003 they were the second and fifth largest recoveries, respectively, since the enactment of the Private Securities Litigation Reform Act of 1995 (the “PSLRA”). Mr. Chitwood has also served as lead trial counsel in approximately 25 jury trials and has written and argued numerous appeals.

Mr. Chitwood has served by appointment as a Special Assistant Attorney General for the state of Georgia to represent Georgia state pension funds in securities class actions and has also served as lead counsel in securities class actions for pension funds of numerous other states. He is one of a select few attorneys who have served as lead counsel for private mutual funds that have been appointed as lead plaintiffs in securities class action litigation. Also, Mr. Chitwood is Vice President, Co-Chair of Securities, and a director of the National Association of Securities and Consumer Law Attorneys (NASCAT) and a director of the Committee to Support the Antitrust Laws (COSAL). He is recognized as a leader in the field of corporate governance reform.

Mr. Chitwood has participated as a panelist in many professional seminars, and he authored “The Effects of the English Common Law on the Development of Commonwealth West African Legal Systems,” published by the University of Georgia Press in 1976. Mr. Chitwood is also the author of papers on various aspects of securities and antitrust litigation, including:”

- “The Securities Reform Act of 1995: Its Effects on Litigation and Capital Formation” - published in *Calendar Call*, Vol. II, Winter 1996, No. 4
- “Federal Preemption of State Securities Laws: Uniform Standards or Misguided ‘Reform’?” - published in *Calendar Call*, Vol. III, Spring 1998, No.1
- “Litigating the Class Action Lawsuit in Georgia” - published by the National Business Institute in 1998

Additionally, he authored multiple articles published by the Institute for Continuing Legal Education ("ICLE") in Georgia and has presented these articles at ICLE seminars, including:

- "Securities Class Actions: The Plaintiffs' Perspective" - 1997
- "Class Actions and Antitrust Enforcement" - 1998
- "The Private Securities Litigation Reform Act of 1995 - A Synopsis" - 1999
- 2000 and 2001 Updates to the "Private Securities Litigation Reform Act of 1995"
- "Investor Communications During Litigation: Ethical Problems, Procedural Issues and PSLRA Requirements in Communicating with Investors When Litigation Is Pending" - 2001

Mr. Chitwood attended the University of Georgia, where he received his A.B., M.A., and J.D. degrees, the last in 1976. He is admitted to practice before all Georgia state trial and appellate courts, the United States District Courts for the Northern, Middle, and Southern Districts of Georgia, and the Second and Eleventh Circuit Courts of Appeals. He is a member of the Atlanta and American Bar Associations, the State Bar of Georgia, the Federal Bar Association, the Association of Trial Lawyers of America, the Georgia Trial Lawyers Association, and the Lawyers' Club of Atlanta, where he serves on the Rules, Practice, and Judiciary Committee. He is also a Life Fellow of the Lawyers Foundation of Georgia. Mr. Chitwood is a member of the Securities Litigation Committee of the Litigation Section of the ABA and the Antitrust and General Practice and Trial Section of the Georgia Bar.

During the Vietnam Conflict, Mr. Chitwood was assigned to the Fifth Special Forces Group (Abn) and served as the commanding officer of a Special Forces A-Team. He received a Top Secret security clearance with Special Access from the Department of Defense. In addition, Mr. Chitwood was awarded both the Vietnamese Cross of Gallantry with Silver Star and the Vietnamese Cross of Gallantry with Palm by the Government of South Vietnam, and the Air Medal, Bronze Star Medal, Combat Infantryman's Badge, Vietnam Service Medal, Vietnam Campaign Medal, Parachute Badge, and Vietnam Jump Wings by the Department of the Army.

Mr. Chitwood co-produced and wrote the story for "Unconquered," a CBS movie of the week that first aired in January 1989. "Unconquered" was chosen as a Best of Category for 1989 by TV Guide. Mr. Chitwood is a member of the Writers' Guild of America.

JOHN F. HARNES

Mr. Harnes is a graduate of Harvard University and Brooklyn Law School. He was admitted to the Bar in 1982. Since his admission, Mr. Harnes has specialized almost exclusively in securities and corporate litigation. From 1986 to 1991 Mr. Harnes was a litigation associate in the New York offices of Skadden Arps Slate Meagher & Flom. Mr. Harnes has participated in numerous trials involving corporate and securities matters, and he has argued on numerous occasions before appellate courts, including the Supreme Court of Delaware, the New York Court of Appeals, and the First and Second Circuits. Mr. Harnes is admitted to practice in the courts of New York, the First, Second and Seventh Circuit Courts of Appeals, Federal District

Courts in New York and in other Districts around the country, including Arizona and Wisconsin. Mr. Harnes has also been admitted to practice *pro hac vice* in specific cases in federal and state courts throughout the country, including Connecticut, Delaware, California, Colorado, Georgia, Hawaii, Indiana, Maryland, Massachusetts, New Jersey, Pennsylvania, Texas and Virginia.

GREGORY E. KELLER

Mr. Keller graduated summa cum laude from Yale University in 1979, and cum laude from Harvard Law School in 1982. He clerked for the Honorable Morey L. Sear, United States District Judge for the Eastern District of Louisiana, from 1982 to 1983. Mr. Keller was admitted to the Bar of the State of Washington in 1983, and, until 1994, was a partner in the Seattle law firm of Hillis Clark Martin & Peterson, where he tried a number of complex jury trials to successful verdicts.

Mr. Keller began to concentrate almost exclusively on corporate and securities litigation after joining Silverman, Harnes, Harnes, Prussin & Keller in New York in 1995, and has continued to practice exclusively in derivative, corporate governance and securities litigation after forming Harnes Keller LLP with John F. Harnes in 1999. Mr. Keller is admitted to practice in the state courts of New York and Washington State, the United States Courts of Appeal for the Third and Ninth Circuits, and in the United States District Courts for the Southern and Eastern Districts of New York, the Western and Eastern Districts of Washington, and the District of Arizona. He has also been admitted to practice *pro hac vice* in specific cases in federal and state courts throughout the country, including Delaware, California, Colorado, Georgia, Kansas, Michigan, New Jersey, Pennsylvania, Nevada, Texas, and Virginia.

ROBERT W. KILLORIN

Mr. Killorin is a native of Atlanta. He received his A.B. degree, *cum laude*, from the Duke University in 1980. He received his J.D. from the University of Georgia in 1983 where he participated in the Prosecutorial Clinic and was a member of the ABA national moot court team and the national mock trial team. Mr. Killorin has served as lead or co-lead counsel in numerous trials, appeals, contested hearings, arbitrations, mediations and other matters. He is a member of the State Bar of Georgia, the American and Atlanta Bar Associations, and the Georgia Trial Lawyers Association. Mr. Killorin is admitted to practice in all state trial and appellate courts, the United States District Court for the Northern District of Georgia, the Eleventh Circuit Court of Appeals and the U.S. Supreme Court. Mr. Killorin has handled a broad range of civil litigation, including business and securities litigation, asbestos defense, federal admiralty claims, and international treaty law. His practice now focuses on class, derivative, multi-plaintiff, and other complex litigation.

Mr. Killorin has served on the Consumer Rights Committee of the State Bar of Georgia and was a speaker at the Georgia Trial Lawyers Association Evidence seminar on October 6,

2000. He is the author of "Preparing Clients to Testify," a chapter in *Civil Trial Practice – Winning Techniques of Successful Trial Attorneys*.

Mr. Killorin is also a member of the Eleventh Circuit Historical Society, the President's Club of the University of Georgia, the Military Order of the Carabao, the National Association of Underwater Instructors and the Explorers Club. He volunteered for ten years as a mock trial instructor in the State Bar of Georgia High School Mock Trial program at the Lorenzo Binn Youth Development Center.

CRAIG G. HARLEY

Mr. Harley has served as lead or co-lead counsel in numerous trials, appeals, arbitrations, mediations and other contested matters in state and federal courts in Georgia and elsewhere. He has had leadership roles in some of the most significant antitrust class actions filed in recent years, including those involving the bulk vitamins, polypropylene and nylon carpet, motorsports merchandise, carbon fiber, and food flavorings industries, and he presently serves as lead counsel in several major securities fraud class actions pending against large Atlanta corporations. He is proud to have assisted various courts and other entities with making *cy pres* distributions of unclaimed settlement benefits in several matters, including working with the Georgia Attorney General to distribute thousands of compact discs to Georgia's public library systems.

Mr. Harley has presented materials at numerous class action and antitrust seminars. For instance, he chaired the Georgia Trial Lawyers Association's Evidence seminar on October 6, 2000. On November 30, 2000, Mr. Harley made a presentation regarding "International Cartels and Private Litigation" for the State Bar of Georgia's Antitrust Section, and in November 2002, he spoke at its seminar on the relationship between criminal investigations and civil litigation. In May of 2005, Mr. Harley spoke about the new "Class Action Fairness Act" at a seminar sponsored by Georgia's Institute for Continuing Legal Education.

Mr. Harley grew up in Atlanta, Georgia, where he attended The Trinity and Westminster Schools. He received his B.A. degree from Duke University (1980) and his M.B.A. (1983) and J.D. (1986) degrees from Georgia State University. He is a member of the State Bar of Georgia, the Federal, American, and Atlanta Bar Associations; the Georgia Trial Lawyers Association, the Lawyers' Club of Atlanta, and the Lawyers Foundation of Georgia, of which he is also a Life Fellow. Mr. Harley is admitted to practice in all Georgia state trial and appellate courts, the United States District Court for the Northern District of Georgia, and the Eleventh Circuit Court of Appeals, and various other courts *pro hac vice*. His practice focuses on class, derivative, multi-plaintiff, and other complex litigation.

DARREN T. KAPLAN

Mr. Kaplan received his B.A. degree in political science from Syracuse University in 1988 and his J.D. from Hofstra University School of Law in 1991. He is admitted to practice in

New York, Connecticut and Georgia, in every federal district court in New York, the Northern District of Georgia, the U.S. Court of Federal Claims, the U.S. Court of International Trade, the Second, Third, Ninth, Eleventh and Federal Circuit Courts of Appeals, and the Supreme Court of the United States.

In addition to representing shareholders in derivative and class action litigation, Mr. Kaplan focuses on representing consumers in class actions in the personal and information technology fields. He was co-lead counsel in *Ades v. Microsoft Corp.*, 2001 N.Y. Misc. LEXIS 780 (Sup. Ct., Kings County, Sept. 20, 2001), representing a nationwide class of purchasers of Microsoft computer mice. He was co-lead counsel in *Epson Ink Cartridge Cases* (Superior Ct. of California, Los Angeles County), representing a certified nationwide class of purchasers of Epson printer ink cartridges. He was also co-lead counsel in *Checkmate Strategic Group v. Yahoo! Inc.* (U.S. District Court for the Central District of California) where he represented a certified nationwide class of advertisers who had been overcharged for “fraudulent clicks” on Yahoo search ads. The settlement in *Epson Ink Cartridge Cases*, valued in excess of \$900 million dollars, is thought to be one of the top 5 largest consumer class action settlements in history.

Mr. Kaplan has substantial trial experience and has argued appeals in the First and Second Departments of the New York Appellate Division and the Second Circuit Court of Appeals. He has been admitted to practice *pro hac vice* in the state and federal courts of Delaware, California, Maryland, Massachusetts and Kansas. Mr. Kaplan is a member of the American Trial Lawyers Association and the American Bar Association.

NIKOLE M. DAVENPORT

Ms. Davenport has served as lead counsel in various complex cases. Her work includes new case investigation and analysis, as well as daily case management and strategy for prosecuting securities and antitrust class actions. In addition, Ms. Davenport is the director of client relations for the firm.

Ms. Davenport takes an active role in protecting the interests of institutional investor clients. She is a member of the National Association of Public Pension Attorneys, the Counsel of Institutional Investors, and is corporate affiliate of the National Association of State Treasurers. Ms. Davenport also attends a number of conferences each year that address issues relating to public and private pension funds and regularly lectures to pension board members and trustees.

Over the past five years, Ms. Davenport co-authored three chapters in *Litigating the Class Action Lawsuit in Georgia* and has served as a presenter at class action continuing legal education seminars. In January 2002, Ms. Davenport served as a panelist at the American Bar Association’s International Cartel Symposium in New York, New York. Ms. Davenport recently led the firm’s litigation team against *Cryolife, Inc.*, which resulted in a \$23.25 million recovery

for class members.

Ms. Davenport received her B.A. and J.D. degrees from Temple University in 1990 and 1994, respectively. She received an Outstanding Oral Advocacy Award while at Temple University School of Law. Ms. Davenport has been admitted to the state bars of Georgia, Pennsylvania and New Jersey, the U.S. District Courts for the Northern District of Georgia, the Eastern District of Pennsylvania, and the District of New Jersey, as well as the Eleventh Circuit Court of Appeals.

JAMES M. WILSON, JR.

James “Josh” Wilson received his B.A. from Georgia State University in 1988, his J.D. from the University of Georgia in 1991, and his LL.M. in Tax Law from New York University in 1992. While obtaining his law degree, Mr. Wilson was an editor for the Georgia Journal of International and Comparative Law, and studied and worked abroad in Brussels, Belgium and Munich, Germany.

Formerly Mr. Wilson was associated with Reed Smith, LLP in New York City, where he focused on complex business litigation and securities arbitration before the New York Stock Exchange and the National Association of Securities Dealers. Prior to that, Mr. Wilson worked at a small boutique that concentrated on environmental and maritime litigation and compliance matters. Mr. Wilson has participated in numerous jury and bench trials in federal and state court. His practice at Chitwood Harley Harnes focuses on securities class actions and other complex litigation in federal and state courts.

Mr. Wilson is admitted to practice law in the States of Georgia and New York, before the United States District Courts for the Middle and Northern Districts of Georgia, and before the Southern and Eastern Districts of New York. Mr. Wilson also is a member of the Atlanta Bar Association, the New York State Bar Association, and the New York County Lawyers Association.

Mr. Wilson is a contributing writer and editor for Lexis-Nexis/Matthew Bender.

KRISSI T. GORE

Ms. Gore is a native of Atlanta where she attended the Lovett School before she was graduated from Phillips Academy in Andover, Massachusetts. Ms. Gore received her B.A. degree, *cum laude* with a double major, from Wellesley College in 1994. During her college career, she participated in a one-year academic program at Dartmouth College and was a member of the Wellesley and Dartmouth cross country teams. She attended the Ukrainian Institute at Harvard University in 1990 and the Kiev-Mohyla Academia in Ukraine in 1993.

Ms. Gore earned her J.D. degree in May 1999, from the University of Georgia. She is

admitted to practice before all Georgia state trial and appellate courts and the U.S. District Court for the Northern District of Georgia and the Eleventh Circuit Court of Appeals. Her practice is devoted to corporate securities and consumer class actions.

MERYL W. EDELSTEIN

Ms. Edelstein received her B.S. degree, cum laude, with a double major in accounting and finance from the University of Florida in 1996. Ms. Edelstein received her J.D. degree from Boston University School of Law in 1999, where she received the Edward F. Hennessey award for academic achievement. While attending law school, Ms. Edelstein completed an internship program with the United States Securities and Exchange Commission. She completed her final semester of law school at Oxford University in Oxford, England, where she studied international and comparative law. After law school, Ms. Edelstein worked as an attorney for the United States Court of Appeals for the Eleventh Circuit. Ms. Edelstein's practice is devoted to corporate securities and other complex class litigation.

OF COUNSEL

JOAN T. HARNES

Mrs. Harnes is a graduate of Bryn Mawr College and Fordham Law School, where she was a member of the Law Review. She was admitted to the bar in 1955. After graduation, Mrs. Harnes was in private practice, where she was engaged in a large number of trials. Mrs. Harnes was one of the first women to be appointed an Assistant United States Attorney, and served in the Criminal Division in the Eastern District of New York. In 1970, Mrs. Harnes helped form the firm Silverman & Harnes, and thereafter, has specialized in the litigation of cases involving securities violations and matters of corporate governance. She has lectured at the Yale School of Organization and Management on such matters. Mrs. Harnes has actively participated in many trials and has also written numerous briefs and argued appeals in cases involving securities and corporate governance issues. Mrs. Harnes has been admitted to practice in the state courts of New York, the United States Supreme Court, the Second Circuit Court of Appeals, and in the United States District Court for the Southern and Eastern Districts of New York. She has also been admitted and argued *pro hac vice* before many courts, including the Supreme Court of Delaware.

ROBERT S. KAHN

Robert S. "Bobby" Kahn advises the firm on institutional and government relations. A native of Savannah, Mr. Kahn graduated from Emory University and received his law degree from the University of Georgia.

Mr. Kahn serves as the elected chairman of the Georgia Democratic Party. He also served as Chief of Staff for Georgia Governor Roy Barnes from 1999 to 2003. As Chief of Staff, Mr. Kahn managed the Governor's office and oversaw all state departments and agencies. He was instrumental in securing passage of the Governor's legislative priorities, including smaller class sizes and greater accountability in public schools, raising teachers' pay to the national average for the first time ever, cutting property taxes, preserving green space and protecting Georgia's quality of life, and improving transportation.

Mr. Kahn is also General Counsel for LUC Media, a firm he started in 1993. LUC Media specializes in purchasing advertising time for political candidates. He represents candidates around the nation in pursuing refunds from television stations that overcharge for campaign advertising time. He is widely recognized as a national expert in this innovative legal field.

ERAN RUBINSTEIN

Eran Rubinstein practices in the area of securities litigation. Mr. Rubinstein is resident in the firm's New York office. He routinely lectures and counsels international clients on their investments in the United States markets as well as their legal rights and responsibilities as a result of losses sustained in their portfolios due to fraud.

Mr. Rubinstein graduated from California Polytechnic State University, San Luis Obispo, with a B.A. in International Relations. He has studied extensively in London and Kenya. Mr. Rubinstein earned his J.D. from Widener University School of Law, Delaware, where he achieved Dean's Honors List and was both a regional finalist and a coach in the ABA Negotiation Competition. He also argued at the Jessup International Law Moot Court Competition.

While Mr. Rubinstein acquired his earlier experience defending class action cases, working with some of the largest corporate defense firms in San Francisco and Philadelphia, he has spent recent years focused exclusively on the prosecution of such cases, including The Relafen Class Action Litigation, the Initial Public Offering Securities Litigation, and the AOL Time Warner Merger Litigation.

Mr. Rubinstein has been admitted to practice in the state of Pennsylvania, as well as in the Eastern District of Pennsylvania.

SUSAN BOLTZ RUBINSTEIN

Susan Boltz Rubinstein practices in the area of securities litigation. Ms. Rubinstein is resident in the firm's New York office. She routinely lectures and counsels clients on their investments in the United States markets as well as their legal rights and responsibilities as a result of losses sustained in their portfolios due to fraud.

Prior to entering private practice, she was an Assistant District Attorney. She then acquired her initial class action litigation experience working with large corporate defense firms. Ms. Rubinstein then became associated with a preeminent white collar criminal defense firm. Among other clients, she represented the Delaware Insurance Commissioner in her efforts to recover millions of dollars looted from policy holders. The case represents the nation's largest insolvency due to fraud and involved money laundering through Israeli banks.

Ms. Rubinstein has spent recent years focused exclusively on the prosecution of class actions. These cases have included the Relafen Class Action Litigation, the Initial Public Offering Securities Litigation, and the AOL Time Warner Merger Litigation.

Ms. Rubinstein graduated from La Salle University Honors Program with high distinction as a English/Modern European Studies major and was a Molyneaux Scholarship recipient. During law school, she was an Associate Editor/Member of the Dickinson Journal of International Law. She successfully completed comparative law courses at the following law schools: University of Florence (Co-Recipient of DiNicola Scholarship; Achieved Highest grade in International Family Law seminar); University of Strasbourg, and the University of Vienna.

Ms. Rubinstein has been admitted to practice in the State of New York, the Eastern District of Pennsylvania and the Supreme Court of Pennsylvania.

ASSOCIATES

MOLLY A. HAVIG

Molly Havig received her J.D. degree from Florida State University College of Law in 1999. While in law school, Ms. Havig clerked for the 20th Judicial Circuit of Florida and was presented with an award for exceptional pro bono service for her work with Guardian Ad Litem and the Children's Advocacy Clinic. During this time, Ms. Havig studied international trade and constitutional comparative law with Duke University in Hong Kong.

In 2005, Ms. Havig received an LL.M. in International and Comparative Law from Georgetown University Law Center, where she won awards for academic achievement in customs and import/export law. While pursuing her LL.M., Ms. Havig lived in Rome, Italy and studied international business and European Union law.

Ms. Havig's practice is devoted to corporate securities litigation.

YESHIMEBET M. A. ABEBE

Yeshimebet (“Yeshi”) Abebe earned her Juris Doctor from the University of Miami School of Law in 2002. While at the University of Miami, she served as Articles and Comments Editor of the University of Miami International and Comparative Law Review, was a member of the International Moot Court Board and served as the Center for Ethics & Public Service David P. Catsman Fellow. Ms. Abebe also served as Vice President of the Honor Council and Treasurer of BLSA, was tapped into the Society of Bar and Gavel, and a James Weldon Johnson Fellow. She earned her M.A. degree in International Law and the Settlement of Disputes from the United Nations Mandated University for Peace in Costa Rica and a Certificated in International Humanitarian Law from the International Committee of the Red Cross. She also completed a summer study abroad program at the University College of London.

Ms. Abebe received her B.S. degree in Urban Regional Studies with a concentration in Africana Studies from Cornell University. She also studied in Italy at the Cornell College of Architecture, Art and Planning program.

Following law school, Ms. Abebe served a legal assistantship to the Honorable Gudmundur Eiriksson of the International Tribunal for the Law of the Sea, was counsel for a non-profit organization and a consultant for an Iowa congressional campaign.

ZE'EVA KUSHNER BANKS

Ms. Banks graduated from Emory University School of Law in May 2003. While at Emory, she was a member of the Moot Court Society and received the Order of Advocates Award. Ms. Banks also was on the Dean's List and received the honor of being a Top 10% Oralist, LWRAP Appellate Oral Arguments.

Ms. Banks obtained her Bachelor of Arts in Political Science with honors from Stanford University in June 1998. Prior to majoring in Political Science, she was focused on biology and co-authored an article published in the Proceedings of the National Academy of Sciences. Ms. Banks' practice is devoted to corporate securities litigation.

DARA LAMUNYON

Dara LaMunyon received her J.D. from the Cumberland School of Law in Birmingham, Alabama where she was on the Board of Directors of the Cordell Hull Speaker's Forum. She also was a member of the Moot Court Trial Competition, the Haley Trial competition and the Phi Alpha Delta Legal Fraternity. She graduated, cum laude, from Auburn University with a major in Political Science and a minor in Conflict Resolution.

After graduation, Ms. LaMunyon was a Law Clerk for the Honorable Tom King, Jr. Her practice has included insurance defense, domestic relations, personal injury, corporate and social security matters.

KATHRYN E. MURPHY

Kathryn ("Katie") Murphy received her JD from the Cumberland School of Law in Birmingham, Alabama where she received a Merit Award for Legal Research and Writing and was a Merit Scholar in Conflict of Laws. She participated in the Dean's Honor, Rushton Lecture Series, was a Cordell Hull Teaching Fellow, and a Phi Alpha Delta Law Fraternity Scholastic Chair. Ms. Murphy received her Bachelor of Arts in Criminal Justice from the University of Georgia where she was a member of the National Criminal Justice Honor Society.

Ms. Murphy's legal practice consists of civil litigation and domestic relations matters.

MICHAEL R. PEACOCK

Mr. Peacock graduated with honors from Emory University School of Law in May 2004. While at Emory, he received a number of awards for various academic achievements, including the James T. Colson Scholarship. Mr. Peacock also served as President of Emory Gay & Lesbian Advocates. Mr. Peacock received his undergraduate degree in International Relations from Boston University, from which he graduated *magna cum laude* in May 2001. Mr. Peacock's practice is devoted to corporate securities and other complex class litigation.

MARY KATHRYN "KATIE" KING

Mary Kathryn "Katie" King graduated from Emory University School of Law in May 2005. While at Emory, she worked as a student attorney for the Turner Environmental Law Clinic and held leadership positions in several public interest organizations. Ms. King received her undergraduate degree in English and Studio Art from Duke University in December 1998. After completing college, Ms. King joined the Peace Corps as a health volunteer in Gabon, Central Africa, where she developed and initiated HIV/AIDS education programs in local schools and taught maternal and child health in remote villages. Before moving to Atlanta, Ms. King studied horticulture and landscape design in the graduate program at North Carolina State University. Ms. King is a native of Winston-Salem, North Carolina.

FORENSIC ACCOUNTANTS

MAHESH V. PATEL

Mahesh Patel is a member of Chitwood Harley Harnes's forensic accounting team. Mr.

Patel graduated from Gujarat University in India in 1982 with a Bachelor of Commerce degree and then spent the next three years participating in a Chartered Accountants Apprenticeship in India. During this time Mr. Patel audited banks, financial institutions and corporations. Upon completion of the program, Mr. Patel pursued a career as a stock broker on the international markets. After relocating to the United States, Mr. Patel, has focused on investments and the stock market.

JOYCE S. WELCH

Ms. Welch is the firm's Controller and monitors the settlement fund administration process from inception through distribution to the class members. A native of Texas, Ms. Welch received a B.B.A. in Marketing and Accounting from the University of Texas, Austin. Before joining Chitwood Harley Harnes, Ms. Welch worked as a business consultant, providing accounting, management and financial services to small to mid-sized businesses. In addition, Ms. Welch has numerous years of experience in law firm administration, business ownership and management and uses her accounting and financial experience to assist other members of the firm's accounting team.

● **LEADERSHIP POSITIONS**

Chitwood Harley Harnes has had leadership positions in numerous corporate securities, antitrust, and consumer class action matters. The following list includes some of the recent cases in which the firm has been appointed Lead or Co-Lead Counsel:

PENDING SECURITIES ACTIONS

In re Airgate PCS, Inc. Sec. Litig., United States District Court for the Northern District of Georgia, Civil Action No. 1:02-cv-1291-JOF. (The firm serves as Co-Lead Counsel in this class action based upon securities fraud).

In re Atherogenics Sec. Litig., United States District Court for the Southern District of New York, Civil Action No. 05 Civ. 00061 (RJH). (The firm serves as Co-Lead Counsel in this class action based upon securities fraud).

Amalgamated Bank et al., v. The Coca-Cola Co., et al., United States District Court for the Northern District of Georgia, Civil Action No. 1:05-CV-1226-RWS. (The firm serves as Co-Lead Counsel in this class action based on securities fraud.)

Carpenters Health & Welfare Fund v. The Coca-Cola Co., et al., United States District Court for the Northern District of Georgia, Civil Action No. 1:00-CV-2838-WBH. (The firm serves as Co-Lead Counsel in this class action based on securities fraud.)

In re ChoicePoint, Inc. Sec. Litig., United States District Court for the Northern District of Georgia, Civil Action No. 1:05-CV-686-JTC. (The firm serves as Co-Lead Counsel in this class action based on securities fraud.)

In re First Horizon Pharmaceutical Corp. Sec. Litig., United States District Court for the Northern District of Georgia, Civil Action No. 1:02-CV-2332-JOF. (The firm serves as Lead Counsel in this class action based on securities fraud.)

In re Friedman's Inc. Sec. Litig., United States District Court for the Northern District of Georgia, Civil Action No. 1:03-CV-3475-WSD. (The firm serves as Co-Lead Counsel in this class action based on securities fraud.)

In re Mirant Corporation Sec. Litig., United States District Court for the Northern District of Georgia, Civil Action No. 1:02-CV-1467-BBM (The firm serves as Co-Lead Counsel in this class action based upon securities fraud).

In re Scientific-Atlanta, Inc. Sec. Litig., United States District Court for the Northern District of Georgia, Civil Action No. 1:01-CV-1950-RWS. (Class action based upon securities

fraud).

In re TYCO International, Ltd., Multidistrict Litigation Panel, MDL 1335. (The firm serves as Co-Lead Counsel in this class action based upon securities fraud).

SUCCESSFULLY RESOLVED SECURITIES ACTIONS

In re AFC Enterprises, Inc. Sec. Litig., United States District Court for the Northern District of Georgia, Civil Action No. 1:03-CV-0817-TWT. (The firm served as Co-Lead counsel in this class action based upon securities fraud). [\$15 million cash recovery plus a potential additional \$11.5 million which provides an immediate recovery to the Class and Sub-class).

Altman v. IQ Software Corp., United States District Court for the Northern District of Georgia, Civil Action No. 1:97-CV-3203. (The firm served as Co-Lead Counsel in this class action based upon securities fraud). [\$550,000 cash recovery].

Arnold v. Shearson Lehman Hutton Co., Inc., United States District Court for the Southern District of New York, Civil Action No. 87 Civ. 4524 (WK) (KAR). (The firm served as Co-Lead Counsel in this securities fraud action arising from a limited partnership offering). [\$20 million cash recovery]

In re BankAmerica Corp. Sec. Litig., United States District Court for the Eastern District of Missouri, MDL No. 1264. (The firm served as Co-Lead Counsel in this class action based upon securities fraud; a significant settlement is proposed to the court). [\$490 million cash recovery].

In re BellSouth Corp. Sec. Litig., United States District Court or the Northern District of Georgia, Civil Action No. 1:02-CV-2142-WSD. (The firm serves as Co-Lead Counsel in this class action based upon securities fraud). [\$35 million cash recovery].

Carley Capital Group, et al. v. Deloitte & Touche LLP, United States District Court for the Northern District of Georgia, Civil Action No. 1:97-CV-3183-TWT. (The firm served as Co-Lead Counsel in this class action based upon securities fraud by an auditor). [\$24 million cash recovery]

In re Cryolife Inc. Sec. Litig., United States District Court of the Northern District of Georgia, Civil Action No. 1:02-CV-1868-BBM. (The firm served as Co-Lead Counsel in this class action based upon securities fraud). [\$23.5 million settlement].

Demint v. NationsBank of Florida, N.A., United States District Court for the Middle District of Florida, Case No. 94-995-CIV-T-23E. (The firm served as Co-Lead Counsel in action based upon sale of securities by bank affiliate). [\$30 million settlement]

Hanson v. NationsBanc Securities, Inc., Sixth Judicial Circuit of Florida, for Pinellas County, Case No. 95-1202-CI-8. (The firm served as Co-Lead Counsel in this action based upon sale of securities by bank affiliate).

In re Healthtronics Surgical Services, Inc. Sec. Litig., United States District Court for the Northern District of Georgia, Civil Action No. 1:03-CV-2800-CC. (The firm served as Co-Lead Counsel in this class action based upon securities fraud). [\$2.85 million cash recovery].

In re Housecall Medical Resources Sec. Litig., United States District Court for the Northern District of Georgia, Civil Action No. 1:96-CV-2214-JEC. (The firm has served as Co-Lead Counsel in this class action based upon securities fraud). United States District Court approved [\$4 million settlement]

In re Intercept, Inc. Sec. Litig., United States District Court for the Northern District of Georgia, Civil Action No. 1:03-CV-00567-ODE. (The firm served as Co-Lead Counsel in this class action based upon securities fraud). [\$5.3 million cash settlement].

In re iXL Enterprises, Inc. Sec. Litig., United States District Court for the Northern District of Georgia, Civil Action No. 1:00-CV-2347-CC (The firm served as Co-Lead Counsel in this class action based upon securities fraud). [\$2.5 million cash settlement].

In re JDN Realty Corporation Sec. Litig., United States District Court for the Northern District of Georgia, Atlanta Division, Civil Action No. 1-00-CV-0396-RWS (The firm served as Lead Counsel in this class action based on securities fraud). [\$41.8 million settlement].

Lewis v. Advanced Technical Products, Inc., et al., United States District Court for the Northern District of Georgia, Civil Action No. 1:00-CV-1702-WBH (The firm served as Co-Lead Counsel in this class action based upon securities fraud). [\$2.95 million cash settlement].

McNerney, et al. v. Carvel Corporation, et al., Superior Court, Judicial District of Hartford/New Britain at Hartford, Docket No. CV 98 0579244 S. (The firm served as Co-Lead Counsel in this class action based upon securities fraud). [\$5 million cash recovery].

In re Medaphis Corp. Sec. Litig., United States District Court for the Northern District of Georgia, Civil Action No. 1:95-CV-2973-GET. (The firm served as Co-Lead Counsel in this class action based upon securities fraud). [\$3.5 million settlement].

In re 1996 Medaphis Corp. Sec. Litig., United States District Court for the Northern District of Georgia, Civil Action No. 1:96-CV-2088-TWT. (The firm served as Co-Lead Counsel in this class action based upon securities fraud). [\$72.5 million cash and securities settlement].

Mitchell Partners, L.P., et al. v. Janis Risbergs, et al., United States District Court for the

Northern District of Georgia, Civil Action No. 1:96-CV-0735-MHS. (The firm served as Co-Lead Counsel in this shareholder derivative action).

In re Oxford Health Plans, Inc. Sec. Litig., United States District Court for the Southern District of New York, MDL Dkt. No. 1222 (CLB). (The firm served as Co-Lead Counsel in this class action based on securities fraud). [\$300 million settlement].

In re Premiere Technologies, Inc. Sec. Litig., United States District Court for the Northern District of Georgia, Consolidated Civil Action No. 1:98-CV-1804-JOF. (The firm served as Co-Lead Counsel in this class action based upon securities fraud). [\$20.75 million cash settlement]

In re Profit Recovery Group, International, Inc. Sec. Litig., United States District Court for the Northern District of Georgia, Civil Action No. 1:00-CV-1416-CC (The firm served as Co-Lead Counsel in this class action based upon securities fraud). [\$6.75 million cash recovery].

In re Providian Financial Corp. Sec. Litig., United States District Court for the Northern District of California, San Francisco Division, Master File No. C-01-3952-CRB. (The firm served as Lead Counsel in this class action based on securities fraud). [\$65 million cash settlement].

In re Retirement Care Associates, Inc. Sec. Litig., United States District Court for the Northern District of Georgia, Civil Action No. 1:97-CV-2458-CC. (The firm served as Co-Lead Counsel in this class action based upon securities fraud). [\$10 million+ cash settlement]

Silber v. A.D.A.M. Software, et al., Superior Court of Fulton County, State of Georgia, Civil Action No. E-47703. (The firm served as Co-Lead Counsel in this class action based upon securities fraud). [\$750,000 cash recovery].

Bruce Simons, et al., v. Dynacq Healthcare Inc. et al., United States District Court for the Southern District of Texas, Civil Action No. H-03-05825. (The firm served as Co-Lead Counsel in this class action based on securities fraud.) [\$1.5 million cash settlement]

Sturm v. Marriott Marquis Corp., et al., United States District Court for the Northern District of Georgia, Civil Action No. 1:97-CV-3706-TWT. (The firm served as Co-Lead Counsel in this class action arising out of a proposed merger of a limited partnership). [\$4.25 million cash settlement].

In re Theragenics Corp. Sec. Litig., United States District Court for the Northern District of Georgia, Atlanta Division, Civil Action No. 1:99-CV-0141-TWT. (The firm served as Co-Lead Counsel in this class action based upon securities fraud). [\$10 million cash settlement].

Upton v. McKerrow, (in the matter of Longhorn Steaks, Inc.), United States District

Court for the Northern District of Georgia, Civil Action No. 1:94-CV-03530-MHS. (The firm served as Co-Lead Counsel in this class action based upon securities fraud). [\$3 million cash settlement].

In re U.S. Franchise Systems, Inc. Sec. Litig., United States District Court for the Northern District of Georgia, Civil Action No. 1:00-CV-1244-RLV (The firm served as Co-Lead Counsel in this class action based upon securities fraud). [\$3.75 million cash settlement].

Varljen, et al. v. H.J. Meyers, Inc., et al., United States District Court for the Southern District of New York, Civil Action No. 97Civ.6742(DLC). (The firm served as Co-Lead Counsel in this class action based upon securities fraud). [\$3.75 million cash settlement].

In re ValuJet, Inc. Sec. Litig., United States District Court for the Northern District of Georgia, Civil Action No. 1:96-CV-1355-TWT. (The firm served as Co-Lead Counsel in this class action based upon securities fraud). [\$5 million settlement comprising of \$2.5 million in cash and \$2.5 million in securities].

In re WestPoint Stevens, Inc. Sec. Litig., United States District Court for the Northern District of Georgia, Atlanta Division, Civil Action No. 1:01-CV-2673-CC. (The firm served as Co-lead Counsel in this class action based on securities fraud). [\$4.25 million cash recovery].

PENDING ANTITRUST & CONSUMER ACTIONS

Baggett et al. v. Hewlett-Packard Company, United States District Court for the Central District of California, Case No. CV-07-667 AG. (The firm serves as Co-Lead Counsel in this consumer class action).

Columbus Drywall & Insulation, Inc., et al. v. MASCO Corporation, et al., United States District Court for the Northern District of Georgia, Civil Action No. 1:04-CV-3066-JEC. (The firm serves as Co-Lead Counsel in this antitrust class action).

Khorrami et al. v. Lexmark International Inc., United States District Court for the Central District of California, Case No. CV-07-1671 DDP. (The firm serves as Co-Lead Counsel in this consumer class action).

McFadden et al. v. Brother International Corporation., United States District Court for the District of New Jersey, Civil Action No. 07-CIV-1905 (FLB). (The firm serves as Co-Lead Counsel in this consumer class action).

Ray v. Microsoft Corporation, United States District Court for the Western District of Washington, Case No. 06-1720 MJP. (The firm serves as Co-Lead Counsel in this consumer class action).

Richardson et al. v. Brother International Corporation, United States District Court for the Central District of California, Case No. CV-07-00979 DSF. (The firm serves as Co-Lead Counsel in this consumer class action).

SUCCESSFULLY RESOLVED ANTITRUST & CONSUMER ACTIONS

Bradford and Ling, et. al. v. Bed Bath & Beyond Inc., United States District Court for the Northern District of Georgia, Atlanta Division, Case No. 1:98-CV-2556-RWS. The firm has served as Co-Lead Counsel in a collective action based upon wage and hour abuses. Chitwood Harley Harnes LLP successfully defended Defendant Bed Bath & Beyond's Motion to Decertify the Putative class following discovery. This is the only published order by a court wherein Plaintiffs survived a Motion to Decertify in a FLSA overtime case. (Consumer class action)

Checkmate Strategic Group, Inc. v. Yahoo! Inc., United States District Court for the Central District of California, Case No. CV-05-458879 CAS. (The firm served as Co-Lead Counsel in this consumer class action based on overcharges for "fraudulent clicks" on Yahoo ads).

In re The Coca Cola Company Apple Juice Consumer Litig., Superior Court of Fulton County, State of Georgia, Civil Action No. E-47054. (The firm served as Co-Lead Counsel in this consumer class action based upon the sale of adulterated juice products).

Dingell v. Tropicana Products, Inc., et al., Circuit Court of the Twelfth Judicial Circuit of the State of Florida, Manatee County, General Civil Division, Case No. CA-96-1048. (The firm served as Co-Lead Counsel in this consumer class action based upon the sale of adulterated juice products).

In re Epson Ink Cartridge Cases, Superior Court of the State of California for the County of Los Angeles, Judicial Council Coordination Proceeding No. 4347. (The firm served as Co-Lead Counsel in this consumer class action based on the sale of inkjet printer cartridges that indicated "empty" while still containing significant ink.)

In re Minute Maid Frozen Orange Juice Litig., Superior Court of Fulton County, State of Georgia, Master File No. E-58922. (The firm served as Lead Counsel in this consumer class action based upon misrepresentations in sale of frozen juice products).

In re Motorsports Merchandise Antitrust Litig., United States District Court for the Northern District of Georgia, Civil Action No. 1:97-CV-2314-TWT. (The firm served as Co-Lead Counsel in this antitrust class action).

In re Nylon Carpet Antitrust Litig., United States District Court for the Northern District of Georgia, Civil Action No. 4:98-CV-0267-HLM. (The firm served as Co-Lead Counsel in this

antitrust class action).

In re Polypropylene Carpet Antitrust Litig., United States District Court for the Northern District of Georgia, Rome Division, Multidistrict Litigation Docket No. 1075. (The firm served as Co-Lead Counsel in this antitrust class action).

In re Vitamins Antitrust Litig., United States District Court for the District of Columbia, Civil Action No. 99-0197. (The firm served on the Steering Committee in this antitrust class action).